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INCREASE OF MILITARY ESTABLISHMENT

HEARINGS

BEFORE THE

COMMITTEE ON MILITARY AFFAIRS

HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

FIRST SESSION

ON

THE BILL AUTHORIZING THE PRESIDENT TO INCREASE
TEMPORARILY THE MILITARY ESTABLISH-
MENT OF THE UNITED STATES

APRIL 7, 1917

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HOUSE OF REPRESENTATIVES.

SIXTY-FIFTH CONGRESS.

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INCREASE OF THE MILITARY ESTABLISHMENT.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., April 7, 1917.

The committee met in executive and confidential session at 10.30 o'clock, a. m., Hon. S. Hubert Dent, jr. (chairman), presiding.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR, ACCOMPANIED BY MAJ. GEN. HUGH L. SCOTT, CHIEF GENERAL STAFF CORPS; BRIG. GEN. ENOCH H. CROWDER, JUDGE ADVOCATE GENERAL; AND MAJ. DENNIS E. NOLAN, GENERAL STAFF CORPS.

The CHAIRMAN. Mr. Secretary, the committee is ready to hear any suggestions you have to make.

Secretary BAKER. Mr. Chairman, I have drawn or rather caused to be drawn a bill which has been presented to you in typewritten form and which attempts to do what its title states, to authorize the President to increase temporarily the military establishment of the United States. The President in his message to Congress described the policy which he was going to recommend for an increase of the military forces as contemplating the following projects: The increase of the Regular Army and the National Guard to full strength, the immediate drafting into Federal service of the National Guard, and equalization of the term of enlistment under the Regular Army, National Guard, and whatever additional forces might be provided so as to give no preferential character to any part of the National Army.

In addition to that the President was of the belief that the volunteer spirit and principle ought to be preserved to the extent of authorizing the filling of the Regular Army and the National Guard to full strength by that process, if the process proved sufficient to accomplish that end; but that as to the additional forces to be raised a policy ought to be adopted which, without becoming the beginning of the practice of universal training or service and without committing the Government to a present decision of that problem, was yet so far assimilated to it as to call into the service of the United States for the additional forces a class of young men who would be relatively free from the business and domestic entanglements which have hitherto embarrassed the country in the sudden calling of large forces from the body of the people, and who would be selected by a process which was sufficiently democratic to spread the strain over the entire country, and at the same time have men of varying ages within the maximum limit of those who could be spared from the industrial uses of the country. This bill, therefore, does those

things. It authorizes the raising of the Regular Army and National Guard to full strength.

Mr. KAHN. May I ask a question right there?

Secretary BAKER. Certainly.

Mr. KAHN. How many would that be?

Secretary BAKER. It is approximately 623,000, as I recall it. Maj. Nolan, is that correct?

Maj. NOLAN. Both forces under all the increments added to the Regular Army would amount to 634,959 enlisted men. This number includes 12,000 Philippine Scouts; deducting this force gives 622,959 enlisted men.

Mr. CALDWELL. That is, the Regular Establishment and National Guard?

Secretary BAKER. The Regular Establishment and National Guard.

Mr. CALDWELL. How about the National Guard Reserve—that is, the reserve battalions?

Secretary BAKER. Have you those figures, Maj. Nolan?

Maj. NOLAN. This includes all men now in the National Guard and in the National Guard Reserve.

Secretary BAKER. That is, the 634,000 includes the Regular Army, the Regular Army Reserve, the National Guard, and the National Guard Reserve.

Mr. KAHN. How many in the Regular Army?

Maj. NOLAN. There would be 305,000 when raised to full war strength. This includes 12,000 Philippine Scouts.

Mr. KAHN. How many in the National Guard?

Maj. NOLAN. 329,954 in National Guard organizations now existing when raised to war strength.

Mr. KAHN. How many in the National Guard Reserve?

Maj. NOLAN. We have not the figures on that; that is, as to how many men have been passed into the reserve. I can find that out.

Mr. KAHN. Will you please put that information in the hearings?

Maj. NOLAN. Yes, sir.

Mr. CALDWELL. The point I had in mind was this: Under section 79 it is provided that as the National Guard is drawn into service under section 111 reserve battalions shall be organized to take the place of the others. Have you made any figures as to how many that would be?

Maj. NOLAN. That principle is applied to all forces now raised under the proposed act. There will be recruit-training battalions for the Regular Army and for the National Guard.

Mr. CALDWELL. That is in the proposed bill. I mean, have you any figures as to how many men would be produced under the national-defense act if we enacted no new law?

Maj. NOLAN. Those recruit-training battalions could possibly be raised to 1,000 men for each National Guard regiment.

Mr. CALDWELL. In other words, under section 79 of the national-defense act you could continue to duplicate the regiments we now have ad infinitum as long as we had men in the country to duplicate them with?

Maj. NOLAN. To replace losses that occurred in the original organizations and only to that extent. Those recruit battalions could not be

created under section 79 to beyond one for each of the original organizations of the National Guard which were drafted into the service. You could not do it ad infinitum.

Mr. McKENZIE. In other words, the reserve organizations could not be drafted under the present law?

Secretary BAKER. I do not think the Major would like to have his opinion construed to the effect they could not be drafted; but the plain intention of the national-defense act was that the recruit battalions organized in the States, when the National Guard is drafted under section 111, are for the purpose of recruiting existing organizations and are not themselves independent organizations to be taken as such.

Mr. KAHN. For supplying the wastage, in other words?

Secretary BAKER. Exactly, through sickness and casualties.

Now, in order to create a parity of obligation and opportunity in the Regular Army and National Guard, the age of voluntary enlistment is fixed at 40 years. At present it is 35 years in the Regular Army and 45 years in the National Guard. The age of 40 was selected after a good deal of debate and discussion among the military advisers of the War Department. It was thought it was wiser not to leave the original age limits as they stood, and wiser also not to cut down the age limit of volunteering from the 45 maximum now obtaining with regard to National Guard to the 35 now obtaining with regard to the Regular Army, because there are a very large number of people in the country who have attended military training camps and have cherished military enthusiasm in the country who up to the age of 40 years are given the opportunity of enlisting and volunteering in these forces and being assigned to either the Regular Army or National Guard of their respective States under a perfect equalization of the enlistment period and of the rights and privileges of membership in either organization, so that the age of 40 years was fixed upon as the maximum to be recommended in that regard.

In the event of voluntary enlistment not supplying the necessary number to complete the full strength of the Regular Army and National Guard, the draft power provided in the national-defense act is made available to the President for filling both complements.

The additional force recommended is at the outset 500,000 men selected from the States in accordance with their population, selected from men of military availability between the ages of 19 and 25 years by a process of selective draft. That means the registration of all persons of military availability within those ages and a determination of the quota of each State, crediting to each State the number of persons who have already volunteered into either of the other forces, so as not to allow the military burden to fall with unequal weight upon any part of the population.

The number of men in the country between the ages of 19 and 25 is approximately 6,000,000. Fifty-eight per cent of the men of that age are deemed available militarily. The remaining 42 per cent are encumbered by some sort of disqualification, either physical disability or something of that sort. So that you would have 58 per cent of 6,000,000, or roughly 3,500,000 men available to select this first 500,000 from.

Mr. TILSON. Mr. Secretary, what steps have you taken to prevent the depletion of our workshops of men very much more needed there

than they would be on the firing line; and to prevent that not only through conscription but through persons volunteering, and at the same time permitting them to retain their self-respect?

Secretary BAKER. That question is of very great importance and falls more naturally in another connection, but just to dispose of it at this point I will say that by limiting the maximum age to 25 we have been advised by those who are familiar with industrial conditions we escape for the most part the skilled-worker class. Men are not deemed skilled workers and indispensable in industry until they are of greater maturity than that.

Mr. KAHN. When you speak of 25 years of age, you mean that he is available during his entire twenty-fourth year?

Secretary BAKER. During his twenty-fifth year. That is my understanding.

Mr. KAHN. That would be to the beginning of his twenty-sixth year?

Secretary BAKER. Until his twenty-sixth birthday.

Mr. KAHN. Then he is eligible all the time he is 25?

Secretary BAKER. I so understand the law as it is now written. Is not that right, Gen. Crowder?

Gen. CROWDER. We will have to adopt some arbitrary classification; and in every scheme I have seen we say that all persons becoming 25 years of age in the preceding calendar year or in the preceding fiscal year, whichever date happens to be convenient, shall be within the provision of the law, and all persons becoming 19 years of age during that same period shall be within the provision of the law.

The CHAIRMAN. The draft of the act reads between the ages of 19 and 25 years.

Gen. CROWDER. It was expected that regulations would step in there and define what those terms meant.

Secretary BAKER. The language is narrower than I supposed it was.

Mr. KAHN. I recall that in the regulations affecting appointments to West Point you say he shall become eligible on the day he becomes 17 and ineligible on the day he becomes 22.

Secretary BAKER. Perhaps more definiteness might be desirable; but my recollection was it included the twenty-fifth year.

To further answer the question of Mr. Tilson, it has been suggested to the War Department that classes of persons ought to be enumerated who would be excluded from availability—classes of persons engaged in certain lines of activity, as, for instance, persons engaged in operating transportation in the country, persons engaged in highly scientific pursuits relating to either the art of war or the indispensable industries of peace. We have reflected upon that and have reached the conclusion that the European practice is the only one that can be adopted with safety, which is to take the men who flow naturally, either by volunteering or by choice, and, where we find we have taken a man who is indispensable in industry or in science, to give him an honorable discharge and a button of some kind indicating that he is on the public service but is excluded from the active military forces because of his indispensable character in some other relation; that it is better to do it, in other words, after we get them in and find out they are indispensable than to attempt

to exclude whole classes which might well include a number who would not be so indispensable.

Mr. HARRISON. How about the question of religious belief, Mr. Secretary?

Secretary BAKER. The religious-belief section is changed from that which you have in the national-defense act, and which, in my judgment, is inoperable. In the national-defense act you have an exclusion of any person who has conscientious beliefs against the bearing of arms. It is not exactly that language, but that is about what it is. That, of course, makes the question of exclusion purely a question of individual statement and, as lawyers might say, of a self-serving declaration made after the event. We recommend that the provision be modified so as to exclude or exempt those who are actually members of a recognized society which has, as one of its tenets, the disapproval of war.

Mr. GARRETT. Mr. Secretary, I believe it might be said to be common knowledge in this country now that the laborers engaged in agricultural pursuits have become distressingly limited, and many writers have charged the high cost of living to the fact that people have left the farm, and there is nobody there except a limited few to produce the foodstuffs of the country. Have you taken into consideration in your department the question of excluding or limiting the draft upon those that might be engaged in agricultural pursuits?

Secretary BAKER. We have had that before us both in the department and in the Council of National Defense. Without at all going into the philosophy of the reason why the drain upon agricultural labor has taken place, it is perfectly obvious that the enormous industrial expansion of the country is in large part accountable for it. The apparently superior opportunities of city life—personally, I regard them as more apparent than real—but the apparent superiority of opportunity in city life, the better schools for children, easier access of recreational and diversional opportunities, and the higher wages that have been paid to industrial workers, have certainly largely stripped the country of its young agricultural labor. Congress has already taken some action to restore that balance in the farm-loan act. The balance is not restored. We do face a situation where we might very well seriously depress agriculture in this country by taking too many of the farming class into these forces. The problem is largely one of three peak-load periods in the farming industry, the season of planting, the season of cultivation, and the season of harvesting.

So far as the present year is concerned, it seems entirely unlikely that our arrangements could be perfected so as to begin the drafting of men until after the season of planting has passed and the season of cultivation is well advanced. The season of harvest would therefore seem to be this year the one we have most to consider. The Council of National Defense would undoubtedly be constantly in touch with that situation through the Department of Agriculture, and subordinate committees, and if it should turn out to be at all a necessary thing to do, some system of furloughing from the Army during the peak load of the harvest season might be adopted to relieve that situation.

Mr. KAHN. But if our troops were sent to the battle fronts of Europe, how would you furlough the men?

Secretary BAKER. Of course, it would be impossible under those circumstances.

Mr. KAHN. Then you would have to meet that condition——

Secretary BAKER. We would have to meet that situation just as it has been met elsewhere.

The CHAIRMAN. Mr. Secretary, the question was asked on the floor of the House the other day as to where you expected to get the officers to take care of this additional force which you propose to raise.

Secretary BAKER. Before answering that, Mr. Dent, may I make one further comment in response to the suggestion made by Mr. Kahn?

The CHAIRMAN. Yes.

Secretary BAKER. It is not unlikely that in this kind of emergency a very general reorganization of our industrial and domestic situation will have to take place. It is impossible to withdraw 1,000,000 men from the active industrial alignment of the country without disturbing the balance of industry as it was automatically established in time of peace. There are many less useful occupations and industries than others. I do not speak of any of them as useless, but there are many which could be foregone with less inconvenience and loss than others. The Council of National Defense is giving exceedingly scientific consideration to that subject and it might well be that by proper means and in proper times and seasons, and after due study, some lines of industry will be discouraged and asked to suspend operations or to limit and modify operation in deference to the superior need of the country for greater activity in other industries.

Now turning to your question as to officers: This bill provides for the immediate draft into the Federal service of the National Guard as it stands, theoretically fully officered. In addition to that there are certain classes of persons enumerated in the Dick bill, the act of 1903. In addition to that there is the Reserve Officers' Training Corps, which has been built up with some rapidity since the passage of the national-defense act. There are a number of retired officers who are still available for duty more or less active. It is the present intention of the department immediately to open intensive training centers for officers and have in each of the great military departments some training schools in which intensive training will be carried on for a period of some months, so as to qualify a very much larger number of men than are now qualified for the duties of subordinate officers. I do not know that I can give a more definite answer than that. The bill itself enumerates the sources for supplying officers.

Mr. CALDWELL. Mr. Secretary, have you made any study to find out how many men will be available who have had training in foreign service before they took out their first papers in America? For instance, there are in certain of our congested localities large numbers of Greeks, Italians, and Frenchmen who have been through the universal training systems over there, many of whom held commissions in those armies which have demonstrated in this war that they are very well officered.

Secretary BAKER. Some study has been given to that, but not such an enumeration as you inquire about. My attention was called to it in one very conspicuous and inspiring instance. The Polish Folkers of America, a body comprising, I am told, about 30,000 men who are drilled to bear arms as a part of their regalia and uniform, under

the inspiration of their chief and several other very distinguished Polish men of the country, of whom Mr. Paderewski is one, were anxious to train 500 Polish officers and present to us trained these 500 men. This problem was considered by the War College and the General Staff, and it was deemed wiser to advise those men to associate themselves into one of these training camps so there would be uniformity of instruction and not draw upon our available officer material for training purposes for a small group like that when they perhaps might be used more effectively in training a larger group by giving uniform training. Undoubtedly, as soon as these training camps or schools are opened, there will be a great flood of men who will present themselves, and it will be necessary to select those needing the least training or having the most training, and those most available for active service, and in such a process we will doubtless get an opportunity to inspect the records of the men who have had foreign service as officers.

Mr. HARRISON. Mr. Secretary, under this bill is it contemplated that companies will be formed and officered and tendered in that shape to the Government?

Secretary BAKER. That is not contemplated. The bill looks to individual enlistments only.

Mr. CALDWELL. Am I right in stating that a person can not receive a commission in the United States Army or in the National Guard or in this new increment you are asking for, under the law as at present or as proposed, who has not as yet received full citizenship papers; that a man may enlist as soon as he declares his intention to become a citizen and become a private, but can be get a commission as soon as he declares his intention?

Secretary BAKER. My impression is that this act is drawn on the theory that a man may be commissioned who has only made his first declaration. Some question as to the wisdom of that has been suggested to me. I do not know that I have a settled opinion about it.

Mr. CALDWELL. The reason I ask the question is because in my own district, which has a very heavy foreign-born population, I have received many communications from men who say they want to enlist in the Officers' Reserve Corps or in the National Guard if they can get a commission. Many of them have had long years of training and have held high office, and they are willing now to come in even as second lieutenants, and I was wondering if you had any suggestion to offer about that.

Secretary BAKER. It is a question with two sides. A declaration of intention can be made in a single day, and a man who had sinister motives and desired to become associated with the Military Establishment would become at least available, and would put us to the election of declining to receive him if he made his declaration on Friday and applied on Saturday. On the other hand, there are very large numbers of perfectly loyal and enthusiastic Americans in this country who have made their first declaration, but have neglected to complete their citizenship.

Mr. GREENE. May I ask, Mr. Secretary, about this Reserve Officers' Training Corps. Young men are now approaching graduation in some of the units of that corps—that is, of the senior division. Their entrance into the Officers' Reserve Corps proper is voluntary—that is,

there is no obligation, having taken the training course, to go in on passing the examination?

Secretary BAKER. I am inclined to think there is, but I am not certain on that. I think all who have been admitted to training have been required in advance to sign a statement that they would go into the corps and accept a commission.

Mr. GREENE. At any rate, following the thought I have in mind, it is the intention, is it, of the department, that when these young men from this senior division graduate into the Officers' Reserve Corps they shall at once go into training for this extra contingent and for such other service as the Government may demand?

Secretary BAKER. Undoubtedly.

Mr. GREENE. And there will be a preparatory field training corps similar to the camp forces?

Secretary BAKER. It will be exactly like what we did at Leavenworth when the second lieutenants appointed from civil life as a result of an examination pursuant to the provisions of the national defense act, were finally commissioned. They were taken to the Leavenworth service schools and given an intensive course of three months. Gen. Scott showed me this morning a picture of that class about to graduate. They have now finished their training course. Many of them were men with a civil education but with no particular military experience. It is an exceedingly impressive picture.

Mr. ANTHONY. I saw them, Mr. Secretary, and they constituted the finest looking body of officers I have ever seen anywhere, after three months' training.

Mr. GREENE. This is to satisfy many inquiries that come to us as members of the committee from men who are interested and desire to perform some patriotic service.

Gen. CROWDER. I can answer Mr. Greene's question in the terms of the statute. The graduates of those training corps institutes who have participated in practical instruction subsequent to graduation, and who shall have arrived at the age of 21, may agree under oath in writing to serve the United States in the capacity of a reserve officer in the Army during the period of at least 10 years. There is nothing compulsory about it.

Mr. GREENE. Just one further word, Mr. Secretary, if you please, as to their status in the contemplation of the department. This Officers' Reserve Corps is, in a sense and for all practical purposes, a part of the Regular Establishment; that is to say, it is a reserve of the Regular Establishment and is not to be confounded in the popular mind with the National Guard or with any of the other increments which may be raised. It is subject to the orders direct, as to its personnel, of the War Department, just as officers of the Regular Establishment are, and such individuals may be sent to any post for service that the department may indicate.

Secretary BAKER. I so understand it.

Mr. GREENE. They are not to be identified with the States or with any other volunteer or military organization.

Secretary BAKER. That is my understanding of it.

Gen. CROWDER. No; that is not correct.

Mr. GREENE. You say that is not correct?

Gen. CROWDER. No, sir; the officers of the Officers' Reserve Corps may be ordered to duty not only with the Regular Army but with

the Volunteer forces or with any other force which Congress may raise, and they may be assigned to either the Regular Army, to the National Guard, drafted into the service of the United States to fill vacancies occurring therein, or to any additional forces.

Secretary BAKER. That is Mr. Greene's understanding of it.

Mr. GREENE. Yes; they are to go as detached or detailed officers of the Regular Establishment.

Gen. CROWDER. That is right.

Secretary BAKER. Mr. Greene's question was whether they were in any sense State officers, as the National Guard officers are. They are not. They are Federal officers.

Mr. GREENE. They are a reserve of the Regular Establishment, and as such can be detailed as officers of the Regular Establishment are detailed.

Secretary BAKER. Yes.

Mr. CALDWELL. Have you any suggestion to offer in regard to the men at West Point, whether they are to be graduated ahead of time or not?

Secretary BAKER. The 1917 class is to be graduated on the 20th of April of this year.

Mr. CALDWELL. How about the 1918 class?

Secretary BAKER. It has not been determined yet about the 1918 class.

Mr. CALDWELL. Those men who are even in the third year have an education which equips them far above that of the average man we get from the average school or college.

Secretary BAKER. I am very happy to believe that that is probably so, and yet a very great many men are trained in schools and colleges throughout the country and well trained, and it is a matter of considerable importance to have in the Military Establishment men who have had the full four years' training or at least as much of it as can be secured under the training of West Point.

Mr. CALDWELL. Do you know what happened during the Civil War? How many classes were graduated?

Secretary BAKER. I do not.

The CHAIRMAN. Mr. Secretary, how many officers will be required for this additional force of 500,000 men?

Secretary BAKER. Maj. Nolan may have those figures.

Maj. NOLAN. 18,538.

Secretary BAKER. Let me be clear about that: Does that mean for the entire Army of 1,000,000 men?

Maj. NOLAN. No, sir; for the first force of 500,000.

The CHAIRMAN. Mr. Secretary, can you give the committee any information as to the number of men now in the Officers' Reserve Training Corps?

Secretary BAKER. I can not, sir. Perhaps Maj. Nolan has those figures.

Gen. SCOTT. It is about 8,000.

Mr. SHALLENBERGER. General, can you tell how many there are in the Regular Army?

Gen. SCOTT. 7,252.

Mr. CALDWELL. How many are there in the National Guard?

Gen. SCOTT. I can not tell you.

Secretary BAKER. Roughly, about 10,000 (9,847).

Mr. NICHOLLS. Mr. Secretary, is there any provision in the bill whereby a man can raise a regiment and be commissioned to command it?

Secretary BAKER. No, sir; there is no such provision in the bill.

Mr. NICHOLLS. My reason for asking that question was this: Very often, as you are doubtless aware, one man can raise troops for service or get them to volunteer where another man can not. In other words, there are men in my district who could raise regiments of troops, whereas those men would not volunteer for service unless they knew who would be in command of them.

Secretary BAKER. There is no provision in the bill for that.

Mr. NICHOLLS. Do you think it would be advisable to have such a provision?

Secretary BAKER. No, sir; I think such a provision would be fatal to the efficiency of the force.

The CHAIRMAN. You have reached the conclusion that it would not be advisable to take advantage of the volunteer act at all at this time?

Secretary BAKER. Yes, sir. Now, I want to be understood when I say that such a provision would be fatal to the efficiency of the force. I think we are facing a situation which is larger than any task the Government has had of this kind since the Civil War, and officers ought to be selected and taken purely in accordance with military canons. The fact that a man is popular or influential may, and it doubtless does, indicate the possession of very admirable personal characteristics and qualities, but that has nothing to do with the question of military efficiency.

Mr. ANTHONY. As I understand it, Congress has passed what you might called a federalized volunteer act, under which you can thoroughly federalize the officers of any force of volunteers. Now, what were the general reasons upon which the department determined not to take advantage of that act?

Secretary BAKER. The general reasons were largely that the problem is larger than the volunteer army experience of this country or of any other country justifies. We are now in the greatest war of all history. We are proposing to raise at the outset 500,000 men, because we think that is as many as can be presently trained. The bill contemplates a further increment of 500,000 men, and other units of similar size are entirely within the realm of probability. Now, if it were a case of raising an army of 500,000 men, it might well be that some system of volunteers would be entirely adequate, although the best military opinion discredits that system as a means of raising armies, chiefly because it leads to the earliest sacrifice of the bravest, most zealous and active men. I think that the size of the task, to answer your question more or less categorically, is such that the raising of troops ought to be conducted under a system by which each increment can be added almost automatically. The larger democracy of this system, or the spreading of it equally over the whole country, commends it, and its advantage is shown by the difficulties which have been experienced in every belligerent country now in the war that has tried the volunteer system of raising troops.

Mr. ANTHONY. Does the department feel that it would be impossible to have filled a demand for 500,000 volunteers, or that the country would not respond?

Secretary BAKER. The department has never entertained that opinion, but the department is quite clear that any such effort would be unwise for the reasons which I have described, and, also, for the reason that the process of recruiting would have to be a more or less inflammatory process. Those who are familiar with what has gone on abroad are aware of that, and of the pictures and the incitement that had to be resorted to in order to raise volunteers, and that, so far as I am personally concerned, I believe to be a very undesirable process.

Mr. ANTHONY. Is it not a fact that Canada and Australia have not been compelled to resort to the policy of compulsory service in order to raise troops?

Secretary BAKER. Neither one of them, so far as I know, has resorted to it.

Mr. ANTHONY. Under our volunteer system, if the department should call for 500,000 volunteers, the President or the department would still have power to officer that volunteer force with Federal officers. In other words, it would be entirely divested of State control.

Secretary BAKER. Yes, sir.

Mr. NICHOLLS. Don't you think that the people ought to be allowed an opportunity to volunteer before there is any conscription?

Secretary BAKER. No, sir; I do not. But the volunteer principle has been preserved for a very large number of men by the provision here which fills the ranks of the Regular Army and the National Guard.

Mr. NICHOLLS. Of course, there are a great many who would volunteer when the country goes to war who would not volunteer in time of peace in the National Guard.

Secretary BAKER. So far as I am personally concerned, I think there is a distinct moral gain in a man's addressing to himself the question as to whether his country is worthy of sacrifice and determining that moral question in favor of the sacrifice. I think that a man is a better man who addresses that moral question to himself. So far as the volunteer principle is concerned, I think there is plenty of opportunity preserved in the bill. The disadvantages on the other side are certainly very considerable—

Mr. GREENE (interposing). Is there not, among others, this reason, that if you should raise a volunteer army and then later resort to the policy of compulsory service, you would have in the field two different types of service that would not articulate or coordinate with each other, whereas if you should start with one general plan, then each successive increment of troops could be easily made to articulate and coordinate with the other increments, and become a part of a well-ordered whole?

Secretary BAKER. I think that is one consideration. But another one is that we can not close our eyes to what has been happening in the world during the war. If you look at the experience of England, you will find that the very choicest spirits, the very elect of the people of England, the men who were ready at the jump of the moment to lay down their lives for England, have laid them down.

Mr. GORDON. Did England raise an army of 5,000,000 men under a volunteer system?

Secretary BAKER. They did that by a system no less compulsory than the one proposed here. I would like to say a word about that. If anybody supposes that England really built up her army by volunteers and that it was simply a matter of calling for volunteers, with everybody rushing up to enlist, he is entirely in error about what happened there. They made it impossible by social compulsion, ostracism, jibes, and chiding for them to stay out. The public spirit so whipped the slacker that it was even more compulsory, or, certainly just as compulsory, as the words of a statute.

Mr. KAHN. There was a series of pictures displayed in the House when we were discussing the national-defense bill showing the limits to which they had gone in order to coerce the men into enlistment. We want to start right in this country, right off the reel, instead of waiting for the discovery of mistakes and blunders.

Mr. CALDWELL. Mr. Secretary, in section 79 of the national-defense act the following language is used:

If for any reason there shall not be enough voluntary enlistments to keep the reserve battalions at the prescribed strength, a sufficient number of the unorganized militia shall be drafted into the service of the United States to maintain each of such battalions at the proper strength.

Now, is there any objection to using that phraseology in the place of the phraseology you have, I think, in the third paragraph of your proposed bill which reads: "The President shall draft," without adding any provision whatsoever which would prescribe a reasonable time for voluntary enlistments? There are no circumstances under which you ask them to volunteer.

Secretary BAKER. I think it would be undesirable to make that change.

The CHAIRMAN. That would not change the legal effect.

Secretary BAKER. It changes both the legal effect and the sentimental effect. I think it highly important that the people of the country should understand that you are providing a system which works automatically, and have it well understood—

Mr. KAHN (interposing). It passes the burden around equally.

Secretary BAKER. I think it does.

Mr. CALDWELL. Some of us feel that there is a large sentiment in our country that men ought to be given an opportunity to volunteer before they are compelled to come in. Why would it not, then, be wise to put in a clause of this kind: That if for any reason there shall not be enough volunteers, say, within a period of 60 days, conscription shall be resorted to? In other words, don't you think that the Anglo-Saxon idea of patriotism and service of country ought to be preserved in the statutory law of the land?

Secretary BAKER. Frankly, I do not think so with regard to this emergency.

Mr. SHALLENBERGER. Mr. Secretary, I would like to ask one question. I have not read the bill. Does not your bill provide that when the draft shall come a certain time shall be allowed the man to volunteer before he is drafted?

Secretary BAKER. Not with regard to the conscripted forces.

Mr. SHALLENBERGER. You do not give 30 days or 10 days or any time for a State to furnish its quota?

Secretary BAKER. There is no such provision except with regard to the National Guard and the Regular Army.

Mr. SHALLENBERGER. Is it not true that in Great Britain they have taken a census and a man is called before the tribunal and he is passed upon and given a certain number of days to voluntarily enlist before he is drafted?

Secretary BAKER. I do not know that fact.

Mr. GORDON. That is true in the present law.

Mr. SHALLENBERGER. That is true in Great Britain now. You do not think that would be advisable?

Secretary BAKER. In my judgment it would not be. It would have exactly the vice of the volunteer system so far as the early sacrifice of the best men of the country is concerned.

Mr. SHALLENBERGER. Do you not think it advisable after I have been conscripted to give me a chance to enlist before I am called by an officer of the law? You think that would be inadvisable?

Secretary BAKER. I can not see that that would really have any effect at all. It simply changes the status of the man so far as the record is concerned; that is to say, if John Jones is conscripted by lot or by whatever process is adopted, and the Government says to him, "Now, John Jones, you have been conscripted, you may have the privilege of volunteering between now and the 1st day of May, but if you do not do it, we will take you anyhow"—

Mr. SHALLENBERGER (interposing). You do not think that would be any advantage to that man at all?

Secretary BAKER. I think not, sir.

Mr. KAHN. Mr. Secretary, can he not volunteer under your proposal in either the Regular Army or the National Guard?

Secretary BAKER. Exactly.

Mr. KAHN. So that he is not estopped from volunteering if he desires to do so?

Secretary BAKER. That is true.

Mr. CALDWELL. But there is a limit of 500,000 for the whole country who can volunteer.

Secretary BAKER. Exactly.

Mr. CALDWELL. Suppose the State of New York has 2,000,000 who want to volunteer, are you going to go out and say, "We will not let you volunteer, but we are going to take these men in your places who do not want to go"?

Secretary BAKER. Yes.

Mr. CALDWELL. In face of the fact that there will be thousands of young men who have brothers on the other side in this war. You recognize that fact, do you not?

Secretary BAKER. I would be unable to recognize any relationship between any citizen of the United States and any body politic or individual that would interfere with this duty.

Mr. MCKENZIE. Mr. Secretary, if I understand the situation correctly, we will require between 300,000 and 400,000 volunteers to fill up the Regular Army and the National Guard to their full quota under the present law. Now, is it not your judgment, that being true, and with this provision in the proposed law that we are also going to require an Army of 500,000 by selective conscription, that it will be an incentive to the patriotic men who desire to enlist to quickly get into either the National Guard or the Regular Army, and will it not act as a stimulus and an incentive toward building up the forces now provided by law and give you an Army in a very short time?

Secretary BAKER. It will undoubtedly operate in that way and have that effect; and in addition to that, to the extent that persons do volunteer from that State they reduce the number of persons to be taken from that State by the other process.

Mr. CALDWELL. That will only be up to the limit of 500,000.

Secretary BAKER. Six hundred and twenty-two thousand.

Mr. HARRISON. Will there be any difference in the term of enlistment between the volunteers?

Secretary BAKER. There will be no difference. All enlistments are for the period of the emergency and that applies as well to the Regular Army as to the National Guard and the additional forces.

Mr. CALDWELL. Then what becomes of the National Guard after it is drafted? We will then have no more National Guard.

Secretary BAKER. The National Guard at the conclusion of the emergency will be returned to the States, but to the extent that the men enlisted in it are enlisted under this act their term of service will expire unless they desire to reenlist in the National Guard, and that will be just as true of the Regular Army as the National Guard.

Mr. QUIN. That is what I wanted to ask. The man who volunteers in the Regular Army in this emergency, will he go out automatically?

Secretary BAKER. He goes out at the termination of the emergency by the proclamation of the President or Congress that the emergency is at an end.

Mr. OLNEY. Mr. Secretary, what is the size of the Regular Army to-day? You are recruiting men rapidly?

Secretary BAKER. Mr. Olney, I can not answer that question with enough definiteness to make it clear. We are recruiting for the Regular Army rather rapidly, more rapidly than at any period I have had an opportunity to observe.

Mr. OLNEY. Is it 120,000?

Maj. NOLAN. One hundred and thirty-seven thousand two hundred and fourteen is the authorized strength?

Mr. OLNEY. But how many have you got?

Maj. NOLAN. We were about 4,000 short May 1, but 4,500 men have been taken in since May 1, so it is filled to peace strength now.

Mr. GORDON. You said something about the experience of European armies having demonstrated the necessity of immediate legislation such as is referred to in this bill. Is it not a fact that every nation in Europe had for many years preceding this war compulsory service?

Secretary BAKER. Not every nation.

Mr. GORDON. Every nation except England?

Secretary BAKER. England, of course, did not have it.

Mr. GORDON. But every nation except England did have it?

Secretary BAKER. Yes. What I said, Mr. Gordon, was in a slightly different connection, as I remember it, and certainly what was in my mind to say was that the European experience justified us in taking a comprehensive view at this time and not dealing simply with the present force as though it was the limit of our effort, but looking ahead and seeing what would happen if we had to raise 3,000,000 men or some other very large number. This plan is adapted automatically to place upon registry and assign to places men who will

be called out in the second 500,000 and in the third 500,000 if that should be necessary.

Mr. CALDWELL. Would you have any great objection to the substitution of a bill similar to or along the line of the Chamberlain bill for the universal training of our youth, in the place of the clause for the second increment of 500,000?

Secretary BAKER. I object to it for two reasons. In the first place, I am heartily in accord with the statement which the President has made on the subject. This is not the time to solve the problem or to settle the policy as a permanent policy of universal training or service, either one. The times are too distorted for that, and therefore I would object to the introduction of the Chamberlain bill as a substitute on that ground. In the second place, I object to it because, as I see it, the Chamberlain bill and the General Staff bill as well, are peace-time propositions, looking to operation through a continued period of years, the result of which will be to produce an army. If we knew that 10 years from now we were going to face this emergency, either of those bills would produce an army at the end of the period of training.

Mr. CALDWELL. Have you had called to your attention the results of the call for voluntary enlistment in Australia, where they have the universal-training system; that is, the percentage of men who volunteered without the unpleasantness which prevailed in England in getting up their men?

Secretary BAKER. I am not familiar with that experience.

Mr. CALDWELL. I will state that I have been told that over 90 per cent of the men volunteered without any trouble at all.

Mr. HULL. Mr. Secretary, have you taken into consideration what the effect is going to be on the minds of the American people when this project is put into effect?

Secretary BAKER. I have tried to think of that. I have no way of getting a composite photograph of their mind, and yet I think the American people want this burden borne equally.

Mr. CALDWELL. Do you not think, perhaps, Mr. Secretary, that in the last year or so you have been thrown more with the Regular Establishment than you have with the public at large on the question of military affairs, and you might have a biased judgment on this subject at this time?

Secretary BAKER. My experience with the Military Establishment has increased my respect for it continuously from the beginning.

Mr. CALDWELL. So that there might be something in the suggestion I make?

Secretary BAKER. I should be very sorry if I had not learned something from them.

Mr. GREENE. The American people, as well as the Regular Establishment, are now at war, are they not?

Secretary BAKER. Absolutely so.

Mr. GREENE. So that these sentiments and various academic opinions that may be expressed have to resolve themselves into a practical aspect, because both the American people and the Regular Establishment must meet and act together.

Secretary BAKER. It seems so to me; and I would like to say in further answer to the suggestion that the Regular Establishment may

have in some sense affected my judgment; that with the full concurrence of all my military advisers the Regular Army has been deprived of even a shadow of preferential consideration by this bill and is placed simply on a parity with the National Guard and the additional forces.

Mr. SHALLENBERGER. May I ask a question, following up the question Mr. Gordon asked you about what you had in mind when you stated that the experience of Europe demonstrated the necessity for this procedure? You must have had England in mind more than any other country.

Secretary BAKER. Really, I was thinking of Kitchener more than anybody else, and his statement that the people of England must prepare for three years of war, which was surely the wisest prophecy which anybody made.

Mr. SHALLENBERGER. England has now had three years of trial, and should be much more able to judge of a proper plan for conducting this war than we, because they have been tried through a trial of experience. If England thought this plan was wrong, why have they not changed it?

Secretary BAKER. The analogy is persuasive but is not controlling. England, of course, has gone step by step. She has gone through all of the accumulation of means of doing the thing which she might not now regard as being perfect but as being obligatory upon her because of her history. England was compelled to go to compulsory service.

Mr. SHALLENBERGER. Should not the last plan be the best one, because she is not now dealing in imagination any more but dealing as the result of experience?

Secretary BAKER. You know that, when you are walking along a path and get to a place where you have to make a choice whether to step to the right or to the left to get over an obstacle, you no longer have open to election the choice of having originally taken a different path which would not present those obstacles to you.

Mr. SHALLENBERGER. I am not talking about a different path, but the one she is walking in now.

Secretary BAKER. If England to-day, not having gone into this war and not having done the things she has done, but having consciousness of what she has experienced in the last three years, were to make the choice to do it the way she did do it rather than ab initio to adopt a different policy, it would be a very persuasive illustration and analogy.

Mr. SHALLENBERGER. Is not England to-day doing her part in this war? Who is it that Germany is fighting? Who is it that Germany prays God to punish? It is England, is it not? England is the backbone of the war; and, if the policy which they have adopted has brought them to that position, can we say that that really is not the best judgment of England or that it does not result in effective results in this war? And, furthermore, if the war were to terminate to-morrow, is the English nation ready to take up the policy of the continental countries of Europe?

Secretary BAKER. I hope it is not, and I hope the result of this war will be to make it unnecessary for England or for us; and it is for that reason that I particularly desire that we should not embark upon a permanent policy.

Mr. CALDWELL. Let me ask you this question: Do you expect we will fight with or for England in this war?

Secretary BAKER. It seems to me that is more or less a political and to some extent a sentimental question.

Mr. CALDWELL. It is not at all political, because the proposition is this: If we are going to fight for England, then we must take every man who is here whether he wants to go or not. If we are going to fight with England, then we should not take any more of our men than England takes of hers.

Secretary BAKER. I do not understand that that question is really involved in this matter. If two of us were fighting a common adversary, and I hit him on the right cheek and you hit him on the left cheek, the question of "for" or "with" would probably be academic.

Mr. CALDWELL. Yes; but if I had to hit him on both cheeks while you looked on, it would not be academic.

Secretary BAKER. I do not think anybody will assume that England is looking on in this contest.

Mr. KAHN. Mr. Secretary, is it the purpose of the department and the administration to send our troops to the battlefields across the ocean?

Secretary BAKER. Mr. Kahn, so far as I am able to speak on that subject, the plans of our military cooperation are in the making rather than having been made. The present aspect of things would seem to indicate that no present dispatch of troops to Europe would be either desirable or could be effectively made.

Mr. KAHN. You do not think——

Secretary BAKER (interposing). But if, before it is over, it is necessary to send troops to Europe to take the places of those whose lives are lost in the struggle to which we are a party, then undoubtedly that would be done.

Mr. KAHN. You do not believe that recruits should be sent to the battlefield until they have been trained for a year?

Secretary BAKER. I think on two grounds they ought not to be sent until they are adequately trained. In the first place, they would be in the way, and, in the second place, and the more important reason, it would be useless slaughter and sacrifice.

Mr. GREENE. If Mr. Kahn has finished, may I continue with this one question?

Secretary BAKER. Certainly.

Mr. GREENE. If we were to precipitate any number of troops on the battlefields of Europe now, we would be quite likely to be an incumbrance on the armies now fighting there rather than a help, because of the additional tax upon the resources of supply, transportation, etc., which we would not be likely to carry with us?

Secretary BAKER. I would not like to say yes or no to that question without this explanatory comment: Any troops we ever send to the theater of war must be supplied and provisioned from home, and therefore to that extent any expeditionary force would contemplate a supply system to keep it in the field.

Mr. GREENE. Exactly; and that is why I suggested the question that, not now being completely organized, it was probable we would have to defer such an expedition.

Secretary BAKER. I should think so; and, yet, at the very outset of this conflict the most important thing is for such a concert of judgment and action among those who are on the same side as will make us act harmoniously, and there has been no time to work out any such concert as yet.

Mr. KAHN. Mr. Secretary, have you the supplies for an Army of 500,000 men?

Secretary BAKER. Mr. Kahn, of course, the War Department has, or has consumed in the way intended, all the supplies that have ever been authorized by Congress to be bought. When the appropriation bill failed of action in the Senate at the last session, I instructed the Quartermaster General to proceed as though it had passed; to get in touch with the manufacturers and supply houses who supplied the things we need and to assure them there would be provision made for payment, and that they should go on with their manufacture and be ready to deliver. I am afraid I probably ought to confess to you very frankly that I may have broken a good many laws between the time you were last in session and now; but I have endeavored to accumulate in manufacturing establishments and in storehouses as large quantities of supplies as could be accumulated. We will have enough supplies and equipment of all kinds, except, of course, heavy ordnance and things of that sort, which require a long time in the making, for 500,000 men by the 1st of July, and we will have adequate supplies of all kinds, except, of course, these long-time-consuming constructions of heavy ordnance and things of that kind, for 1,000,000 men inside of eight months.

Mr. KAHN. Will you have machine guns?

Secretary BAKER. We have, of course, machine guns under order. We have a certain supply of machine guns on hand. The Savage Arms Co., which makes the Lewis gun, has at last, so I am told, perfected that gun so that it is now chambered for American ammunition and is regarded as a satisfactory arm. They are equipped to make perhaps 500 the first month after receiving an order and 1,000 the second month and 1,500 each month thereafter. They will undoubtedly be given an order at once, and we will have a very substantial addition to our stock of light machine guns of the Lewis type immediately.

Mr. KAHN. Have you put forward the date of the test that you were going to make of the Lewis and other light guns?

Secretary BAKER. I have not put that date forward. I am planning to buy Lewis machine guns independently of that test and without waiting for it. I was unwilling to abandon the test because a large number of inventors and manufacturers have been working hard to meet the conditions and will not have their arms ready for test until the stipulated time; and even if we get the full capacity of the Savage Arms factory, we will still have need for additional arms sufficient to justify the competition which this test provides.

Mr. KAHN. I saw a statement, purporting to come from you, to the effect that you were not in a position to supply 500,000 men inside of one year.

Secretary BAKER. I made no such statement, Mr. Kahn, but the fact about it is, as I have stated, that we can supply more than 500,000 men in very much less time than that with everything except these specialties, like machine guns, heavy ordnance and artillery.

Mr. KAHN. Of course, it would be absolutely necessary to have heavy ordnance if we are to take the field actively.

Secretary BAKER. Undoubtedly.

Mr. KAHN. And how long would it take you to get those guns and their ammunition ready?

Secretary BAKER. Well, that situation is complicated by two or three considerations. As the members of this committee know, the War Department has a so-called program which is the outgrowth of the Treat Board, which recommended certain standardization in size of field ordnance, beginning with the 3-inch gun and the 4.7 howitzer, and omitted a size in that program; that is, a size recommended by the Treat Board but not recommended by the Board of Ordnance and Fortification. That was the so-called 8-inch gun. The board felt that the 9.5 gun was the next step beyond the 6-inch gun. There are in this country now under manufacture for England and France 8-inch guns according to an English design, 9.3 guns according to a French design, and 9.5 guns according to an English design, but slightly different from our 9.5 design, which has a longer caliber, a greater range, and, in our judgment, is a superior arm. But as the gauges, the dies, tools, and all that sort of preliminary equipment connected with the manufacture of these designs, are not in hand, I have asked the Chief of Ordnance, or, rather, concurred in his recommendation that we ask the Midvale and Bethlehem companies, which are the only two factories making that sort of arm, to multiply for us as rapidly as they could, according to the English design, the 9.3 and 9.5 guns, which are substantially the equivalent of our original 9.5 arm, for which we have the design but of which as yet we have none manufactured. Now, with that much of a prefatory statement, it is believed by the Ordnance Department that we can secure some of the 9.3 French design guns, beginning deliveries in about seven months.

Mr. CALDWELL. Will they use our ammunition or will they need special ammunition?

Secretary BAKER. All of that ammunition is special; all heavy ammunition is specially adapted to a particular gun, so that there is no question of confusion there, as there is in small arms ammunition.

Mr. CALDWELL. But the French guns are made on the metric system.

Secretary BAKER. Well, the ammunition for those guns, as a matter of fact, is made in this country.

Mr. TILSON. Are all of these things to be done in such a way as to avoid failure to fulfill any of our orders for France, for instance?

Secretary BAKER. Yes. The War Department and the Council of National Defense are creating agencies for the determination of priority of contracts, so that the Navy Department, the War Department, and our foreign associates will all be coordinated, and no interference will be made as to their needed supplies.

Mr. KAHN. Of course, these guns that are of French design, which you propose to adapt to our uses, are simply in addition to what we had planned regularly? There will be no difficulty in using them in conjunction with our own guns?

Secretary BAKER. Not the slightest. That size is an individual arm.

Mr. KAHN. Certainly. Now, I want to ask you, continuing on this line, as to deliveries. You think that in seven months from now you may begin to get some heavy artillery?

Secretary BAKER. Under the most favorable circumstances we think we can begin to get some deliveries in seven months.

Mr. KAHN. How long would it take, therefore, to get enough equipment of heavy artillery to supply an army of 500,000 men?

Secretary BAKER. I can not answer that, Mr. Kahn, but I should say in from 14 months to 16 months. However, Gen. Scott tells me that the present estimate of the Ordnance Department is two years and a half for 1,000,000.

Mr. KAHN. That will be for our first 500,000 men?

Secretary BAKER. No; for 1,000,000 men. That means, of course, ideal equipment.

Mr. KAHN. Then for the next 500,000 men, how long?

Secretary BAKER. A very much shorter time.

Mr. KAHN. And the third 500,000 still shorter?

Secretary BAKER. Yes.

Mr. KAHN. Now, about the small arms. We have in reserve about 700,000 guns, as I understand it—not in reserve, but we have actually about 700,000 or 800,000?

Secretary BAKER. We have a little more than that; we have altogether something over 690,000 Springfield rifles in the hands of troops, and in reserve, in addition to that, we have between 300,000 and 400,000 Krags, which are a very excellent arm and good training arms.

Mr. KAHN. But you would not recommend them for use in the field?

Secretary BAKER. I would not recommend them for use in the field, so that any expeditionary force that we may send ought to be equipped with Springfield arms. Our capacity for the manufacture of Springfields is comparatively limited as compared with this great need, but there has been worked out by the so-called munitions standardization board and the Ordnance Department a very simple modification of the Enfield rifle, which is manufactured for the English in large numbers in this country. It is a very simple modification, and we could use American ammunition. With this modification it makes it, perhaps, the second best small arms in the world, it being conceded, I think, by everybody that the Springfield rifle is the best rifle in the world. But the Enfield rifle, which the English are now using, by this very slight modification can take American ammunition, and large quantities of them can be turned out.

Mr. KAHN. What will be the range of the Enfield as compared with the Springfield?

Secretary BAKER. Almost equal to it.

Mr. CALDWELL. What do you mean by large quantities? How many a month?

Secretary BAKER. Well, what we need is about 1,400,000 rifles made by private factories, in addition to the rifles which we can make in our Government arsenals, working them at their full capacity.

Mr. CALDWELL. How many can we get?

Secretary BAKER. We can get 1,400,000 I should say, in perhaps a year or 14 months.

Mr. ANTHONY. Do you refer to the product of the Eddystone plant?

Secretary BAKER. Yes, sir.

Mr. CALDWELL. What price do we pay, as compared with the price paid by the European powers, for the same stuff?

Secretary BAKER. I can not answer that, but the question of price is one that can be handled because of the powers of the Government in the War Department to insist upon a fair price.

Mr. CALDWELL. The reason I ask this is because we have heard so often—so that we have come to believe it—that practically all of the contracts that come over here provide for profit to a middleman, but we are going to eliminate that, I hope.

Secretary BAKER. Undoubtedly.

Mr. HULL. What arrangements are you making to increase your supply of rifles at your arsenals?

Secretary BAKER. We have been endeavoring for some time to build up a force of trained mechanics in the arsenals, but it has not been a simple problem because of the intensive industrial occupations in America and the scarcity of trained mechanics. I can not tell you the present status, but we have largely increased the number of operatives, but I know we have not yet fully increased the number.

Mr. KAHN. How will you be able to furnish the powder?

Mr. GREENE. Before we leave the subject of rifles let me ask this question: As I understand it, the 1,400,000 rifles that you now want are to go at once to the Regular Army, the National Guard, and the first 500,000 men?

Secretary BAKER. No; we have enough rifles now to take care of the immediate needs of the Regular Army and the National Guard, and by the time we get the 500,000 men selected we will have enough rifles to put in their hands; so that the equipment for the first million men, or nearly enough equipment for the first million men, will be ready by the time the men are ready to be drilled or trained, on the assumption that some of them will be originally trained with Krag's, but to have the Krag's replaced with the service rifle later.

Mr. TILSON. Before leaving the rifles, Mr. Secretary—

Secretary BAKER. I ought to add to that, Mr. Tilson, in order to make it complete, that the wastage in small arms is a serious problem, and the answer which I gave meant but one rifle for a man, so that in peace time it ought to be nearer a rifle and a half a man and in war time two rifles to a man are not too many.

Mr. CALDWELL. So you will have half enough for the men as soon as you get the million men?

Secretary BAKER. Substantially.

Mr. TILSON. Before you leave the rifle, I wish to ask about the Russian rifle being made at Springfield. I suppose that will go right along and that there will be no interference with the Westinghouse Co. in manufacturing the Russian rifle?

Secretary BAKER. There will be no possibility of our interfering with any existing contracts in this country, to the extent that our associates in this enterprise need them.

Mr. TILSON. As I understand, after some conferences with the munitions board, the proposed change in the Enfield rifle is largely a matter of rechambering?

Secretary BAKER. I so understand.

Mr. TILSON. And use the actual Enfield rifle, with all the different appliances that they already have for making them, except the changes necessary for the chambering alone.

Secretary BAKER. I understand that to be the fact.

Mr. OLNEY. Granting that it would take some time to train an army to send abroad, does the War Department think it advisable to send, say, 8,000 or 10,000 Regulars abroad for the moral effect it would have on the men serving there?

Secretary BAKER. That has never been considered. The War Department regards that as a political question, I mean political in the sense that it belongs to other departments, and we have given no consideration to it.

Mr. OLNEY. Does the War Department advocate the system of universal military training in the service as a permanent policy?

Secretary BAKER. The War Department has made no such recommendation?

Mr. HARRISON. I understand that at present you think it inadvisable for the Congress to pass any law for universal military service as a part of the peace establishment of this country?

Secretary BAKER. Yes, sir.

Mr. HARRISON. And that is no state secret?

Secretary BAKER. Not at all, sir. As a matter of fact, the President in an interview in the papers yesterday stated that to be his view and gave his reasons.

Mr. CALDWELL. You stated that the President mentioned an outline of this bill in his message to Congress. At that time had this bill already been drawn?

Secretary BAKER. Substantially.

Mr. CALDWELL. And where was it drawn?

Secretary BAKER. It was drawn in the Judge Advocate General's office in the War Department.

Mr. CALDWELL. Would you mind giving us the names of the officers who helped in the preparation of your bill?

Secretary BAKER. I have not the slightest objection.

Mr. CALDWELL. Will you put their names in the record?

Secretary BAKER. Yes, sir.

Mr. CALDWELL. Also send us the written reports that were made by the various officers whose opinions were asked for.

Secretary BAKER. I can not do that, because it was done largely through personal conferences in my office.

Mr. KAHN. Were any of the officers of the General Staff consulted?

Secretary BAKER. I will give you a list of the persons who were consulted. The bill was drawn by the Judge Advocate General in accordance with a memorandum for his instruction dictated by me personally. The first draft of the bill was presented to me by the Judge Advocate General in the presence of the Chief of the General Staff, the Assistant Chief of Staff, and, I believe, Gen. Kuhn, the Chief of the War College. The bill was considered at several conferences which took place substantially one day after another, and it was finally completed in the form as sent to Mr. Dent last Saturday morning. The Chief of the War College consulted the gentlemen at the War College about it, so that they were all consulted about

it; the Chief of Staff and the Assistant Chief of Staff undoubtedly conferred with other gentlemen in the War Department, and Gen. Crowder conferred, I happen to know from his saying so, with the Adjutant General, and I happen to know that later some others of the bureau chiefs saw copies of it and made suggestions.

Mr. CALDWELL. You say that you dictated the original outline of it yourself?

Secretary BAKER. I did.

Mr. CALDWELL. Prior to that did you have consultations with any officers on this subject specifically?

Secretary BAKER. Yes; I had some consultations, and so far as I can recall—Gen. Scott and Gen. Crowder can re-form my recollection if it is in error—the matter was initiated by me personally, and that the first draft of the bill was pursuant to a suggestion of mine and on lines laid down by me personally.

Mr. ANTHONY. Has the bill had the approval of the General Staff as a body. Mr. Secretary?

Secretary BAKER. I can not answer that.

Mr. ANTHONY. Do you have a custom of submitting a proposition of this kind to the combined judgment of the General Staff?

Secretary BAKER. It is sometimes done, but so far as I know this bill has not been sent around for the O. K. or approval of the General Staff beyond the ways I have told you.

Mr. CALDWELL. The reason I asked you this, Mr. Secretary, is because, if my request is granted, these men who have been consulted in the matter will be called here and asked for their personal opinions upon the various phases of this bill, and I wanted to have a statement in the record, if you would make it, similar to the one which you kindly made when you were here before, that these officers of the United States Army should be given full opportunity to express their own personal opinions on the various branches of this bill.

Secretary BAKER. I have not the slightest disposition or willingness to put any limitation upon the freedom of expression, for your information, of officers of the Army, but I want to add that so far as this bill involves a policy rather than an efficient military arrangement I am speaking for the War Department when I speak on the subject.

Mr. TILSON. Has this bill been printed at all?

Secretary BAKER. I do not know that, sir; it has not been printed by us.

Mr. TILSON. Is it the intention of the War Department to have this bill printed, or is it preferred that we consider it first without having it printed or made public?

The CHAIRMAN. If you will recall, Mr. Secretary, when you handed this to me you afterwards talked over the phone and requested that I would not introduce it until after the resolution declaring war was acted on.

Secretary BAKER. Yes, sir.

The CHAIRMAN. Congress adjourned immediately after that, so that there has been no chance for the bill to be introduced.

Mr. KAHN. Is it your idea that the bill should be introduced or, rather, that a committee print of it be made so that it should be considered by the committee?

The CHAIRMAN. I will say that I intend to introduce the bill Monday, so that Members can see copies of it.

Mr. TILSON. That will have the effect of making it public.

Secretary BAKER. Let it be understood that what Mr. Dent did in withholding it from print was at my request, and that request was made as a matter of courtesy, because I did not think the War Department should assume that Congress was going to take one action or another on the resolution.

Mr. KAHN. Do you think it ought to be introduced or a committee print made for the use of the committee?

Secretary BAKER. I do not know, as I am not familiar with your technical procedure.

Mr. SHALLENBERGER. You do not object to having this bill printed?

Secretary BAKER. Not in the slightest.

Mr. SHALLENBERGER. You are perfectly willing that it be made public?

Secretary BAKER. Entirely so.

Mr. ANTHONY. Which would take longer, to raise 500,000 volunteers or to get them by a conscription process?

Secretary BAKER. It would be an even choice, on the assumption that the volunteers presented themselves with readiness to the enlistment officers.

Mr. ANTHONY. What is the length of time that you figure it would take to get all of this conscripting machinery into action; that is, the registration, the elimination, and allotment? How many months would it take to get such an army?

Secretary BAKER. It has been estimated in the War Department that it would take about three months. The bill authorizes the use of practically every existing Government and State agency.

Mr. ANTHONY. I have a newspaper from home, the Topeka Capital, and I want to read to you the headlines, as coming direct from the people:

Topekans would go to war only as "volunteers." While Army and Navy recruiting offices are swamped with applications, they are not for the "Regulars." Desire to see actual fighting. Not a single recruit for the Navy, because for long-term enlistments. Five for the Army.

Then I want to read from the first paragraph:

The local Army and Navy recruiting offices were swamped with applicants to enlist as volunteers in the first American overseas army to be sent to France in case of actual warfare on Germany, yesterday, although not a single man offered to enlist in the United States Navy for the four-year enlistment and only five offered their services to the Army. All day yesterday the applicants filed into the recruiting offices. At noon a line of men extended from the recruiting desk into the street. It was composed mainly of workingmen, machinists, laborers, and scores of clerks. They were eager to go to France, but refused absolutely to enlist in the Regular Army without some definite enlistment provision which guaranteed their being sent to Europe to fight the Germans. The applicants who wanted places as volunteers all appeared to be desirous of fighting, and it was not because of their lack of patriotism that they refused to join under some other line of service. They declared they wanted to be in the midst of the trouble while it was going on, and to be discharged when it was over. As President Wilson has issued no call for volunteers the local Army recruiting officers could not accommodate the would-be recruits. One young man came from Manhattan yesterday to join as a volunteer. He appeared very much disappointed when the officer told him he could not be received unless he joined as a "Regular."

There was a long line of men waiting there to enlist in the volunteer force, but very few would enlist in the regular organization. That is the spirit that seems to exist.

Secretary BAKER. But that is not what that says.

Mr. ANTHONY. How do you construe it?

Secretary BAKER. It says there was a long line of persons who would enlist on condition that they could get in the first contingent for the frontier in France; they seemed to want some kind of assurance that they would be sent abroad right away. Of course, that difficulty will be eliminated if the equalization provisions of this act are put into effect, which put the Regular Army on the same basis as any other force.

Mr. QUIN. Take my State of Mississippi and say that 6,000 men were enlisted according to your process; would they go as units from Mississippi or would they be mixed up with men from Connecticut, Rhode Island, New York, and so on?

Secretary BAKER. I think the department would desire, as far as it could, to preserve men from the same neighborhood in association with one another; they would regard it as a very valuable thing to have men who knew one another kept together, so that there would be some neighborly spirit among them, but under the spirit of the act that would not be necessary.

Mr. KAHN. I presume that under your program of conscription you intend to take in colored troops also?

Secretary BAKER. Undoubtedly.

Mr. KAHN. And you will have separate regiments for them?

Secretary BAKER. Undoubtedly.

Mr. HULL. Why are you mustering out National Guard units at this time of stress?

Secretary BAKER. We are mustering out no National Guard units at this time, but we are mustering out some Organized Militia, which either declined or failed to organize as National Guard under the national defense act.

Mr. HULL. You have orders out to muster out Company C, one of the best batteries in the West, at Muscatine, Iowa.

Secretary BAKER. If that is accurate, Mr. Hull, it must be because it is not a part of the National Guard but is a part of the Organized Militia.

Mr. HULL. But they were on the border.

Secretary BAKER. Yes; but there were two kinds of people there. There is no mystery about this at all. When the National Guard and the Organized Militia were called to the border, we called both the Organized Militia and the National Guard. Now, all of the Organized Militia which has taken the oath and become a part of the National Guard is being kept in the service, but such parts of it as are organized under the old Dick Act and not under the national defense act are being mustered out.

Mr. KAHN. How many men have you now in the National Guard?

Secretary BAKER. I can not answer that, Mr. Kahn.

Mr. QUIN. About half of my population are negroes. Under your plan will the negroes be associated in units with the white people?

Secretary BAKER. It has always been the policy of the War Department to treat the two races separately in the matter of military organization for disciplinary reasons, and the colored men will be organized in separate regiments.

Mr. HARRISON. This bill contemplates enlistment in the Army and the National Guard just for the war, but enlistments in the Army and National Guard are for long-termed service?

Secretary BAKER. Yes, sir.

Mr. HARRISON. That may account for Mr. Anthony's condition—that men volunteering now in the National Guard have to serve a long term?

Secretary BAKER. I suggest that if the equalizing provision be put into operation that will disappear.

Mr. KAHN. To come back to the question of preparation, will you have any difficulty in getting the necessary ammunition, and how long will it take you to get the ammunition to supply 500,000 men?

Secretary BAKER. I think the small-arms ammunition is a matter of no moment; we can get that without difficulty.

Mr. KAHN. The heavy ordnance ammunition?

Secretary BAKER. We can get that as fast as we can get the ordnance to use it.

Mr. MCKENZIE. What about the powder?

Secretary BAKER. I can not answer that question. Somebody else asked me that question. The question of powder depends almost entirely upon the available supply of nitrate soda. Our major reliance is the Chilean nitrate beds. We are bringing substantially large quantities of that in Government transports at the present time, and it is contemplated under this bill, under the estimates which are submitted, to increase very largely the importation of nitrate soda. The manufacture of the powder is a simple process if we can get the ingredients.

Mr. NICHOLLS. Does the department contemplate sending troops abroad?

Secretary BAKER. That question has been asked, and the only answer that can be made is that the department expects to be ready to do whatever the Government decides is proper.

Mr. NICHOLLS. You have not formulated any plans?

Secretary BAKER. Of course, the department will not send the troops; the Government will send them.

Mr. ANTHONY. From the military standpoint, this is largely a question of putting the country in a state of preparedness?

Secretary BAKER. We are in a war, and so far as the War Department is concerned, it expects to exhaust its capacity to win.

Mr. ANTHONY. We are in a position where the enemy can not come into physical contact with us.

Secretary BAKER. No, sir.

Mr. MCKENZIE. You speak of nitrate being a product that we have to import from other countries. In making preparations for our national defense is there any other thing or element that enters into the matter of national defense that we are dependent upon any other country for the use of, except our own?

Secretary BAKER. There is no large and conspicuous element. There are a number of things which it is exceedingly important for us to

have that come from other countries. For instance, there is manganese, which is needed as an alloy in making manganese steel.

Mr. CALDWELL. How about rubber?

Secretary BAKER. Rubber is in the hands of our associates, but there is, of course, the transportation difficulty. There are a number of minor things, but the nitrate supply is absolutely essential.

Mr. CALDWELL. What about the \$20,000,000 which we appropriated for a plant?

Secretary BAKER. Like thrifty citizens, we have most of it.

Mr. CALDWELL. Do you think that is advisable, in view of the present situation?

Secretary BAKER. Yes; for this reason: The making of artificial nitrates is a question of process very largely. There are four conspicuous processes. There is one known as the arc process, which makes nitrate of soda directly by passing a current of air through an electric arc. It is exceedingly expensive in power to make nitric acid.

There are three other processes, one of which requires a very large water power, and the two others require almost no power, but up until a comparatively few days ago were not sufficiently understood in this country to be the basis of use for us. The most conspicuous process now in use in the world is the so-called Huber process, a German invention, which consists in bringing nitrogen and hydrogen together under an elevated atmosphere, and enormous pressure, 120 atmosphere. That process is used by the Germans more largely even than the cyanamid process. It requires a very little expenditure of power. The problem that you put up to us with the \$20,000,000 was not merely to make nitrate of soda—that could not be done with any process under two or three years—but to select the best process. We have at Arlington an experimental plant which is experimenting with the Huber process, and in a very few days we shall probably reach a determination.

Mr. CALDWELL. Does the Huber process also produce fertilizer?

Secretary BAKER. Yes, sir.

Mr. SHALLENBERGER. You spoke of the facilities which you have at the arsenals to manufacture rifles, but I do not think you definitely stated you are running them three shifts now?

Secretary BAKER. I think we are running two shifts; I think we have not gone to the three shifts.

Mr. SHALLENBERGER. Why have you not gone to the three shifts?

Secretary BAKER. We have not been able to secure enough mechanics.

Mr. SHALLENBERGER. The people from whom you buy the rifles run their plants three shifts. We told the representative of the Eddystone works that your Ordnance Department said that it was not practicable to run a plan more than two shifts and he said, on the contrary, the opposite was true—that it was practicable to run the machinery all the time in order to make the rifles.

Secretary BAKER. I think there must have been a misunderstanding. The Ordnance Department never claimed that three shifts was either inefficient or difficult?

Mr. CALDWELL. Inefficient; it is in the record.

Mr. KAHN. The Chief of Ordnance testified before this committee that the more shifts you had, the later shifts became more and more

inefficient. In other words, that the first shift is the best, the second shift is not quite as good as the first, and the third shift is not as good as the second. Mr. Vaucane, who took luncheon with some of the members of this committee, said that as a practical matter it was more efficient for the men and for the plan itself if it could be worked 24 hours out of 24 hours and that it could be run more efficiently.

Secretary BAKER. That is obvious.

Mr. KAHN. And he said that the machinery was in better condition; that the cooling down of the machinery from one shift to another militated against the machinery. Gen. Crozier did state before this committee that there was a lack of efficiency as you employed men after first shift.

Secretary BAKER. I think we are getting into a very disputed field. I think it is agreed that no hours are so efficient for the human being as the daylight hours, but it is based on a very highly, almost fine-spun scientific inquiry. I should say that the relative efficiency of a man eight hours at night and in the daytime was not appreciably different.

Mr. OLNEY. What about the wool situation?

Secretary BAKER. The wool interests have placed at the disposal of the Government all the wool in the country.

Mr. SHALLENBERGER. You contemplate running the rifle factories full capacity?

Secretary BAKER. We are contemplating running two shifts, and three shifts if we can get the men.

Mr. SHALLENBERGER. They will make the Springfield rifle?

Secretary BAKER. The service rifle; yes, sir.

Mr. SHALLENBERGER. Would that be a good excuse to the country for not operating the arsenals to the full capacity, that we can not get the men, and therefore that we have to buy the rifles from the private manufacturers and pay their price?

Secretary BAKER. The question that was asked me was whether we would have to pay something like the prices which the foreign Governments were paying for rifles in this country. I said that that question was one of diminishing importance, and that the Government had the power in war time to fix the price.

Mr. SHALLENBERGER. Expense does not count for as much as the rifles?

Secretary BAKER. That is not a deduction from my statement.

The CHAIRMAN. The Government can control the price?

Secretary BAKER. The Government can secure a fair price.

Mr. SHALLENBERGER. Do you think it is a good policy to buy a rifle, which, after all, is only a makeshift rifle, at a high price, when you can secure the real rifle by utilizing all our facilities and working three shifts?

Secretary BAKER. I share your belief to the fullest extent that we ought to increase the production of the Springfield rifle, but if we work every arsenal we have with all the machinery we have for the full 24 hours every day, we would still have to buy rifles in order to supply those which we will be unable to make.

Mr. HULL. Have you considered increasing the capacity of the rifle plants?

Secretary BAKER. Yes, sir. Some authorizations for increasing the plants were made last session, and we have made large increases in the buildings at the Rock Island Arsenal.

Mr. HULL. For the manufacture of rifles?

Secretary BAKER. I can not say.

Mr. TILSON. I should like to ask what is being done with the appropriation we have made toward increasing the production of rifles by the preparation of these very necessary jigs, tools, and fixtures?

Secretary BAKER. My answer will have to be general. There is a board consisting of five or six experts, with Mr. Scott at the head and Mr. Vauckland on the committee, which is trying to put the country in a condition for enlarged quantity output. That board is giving very expert and vigorous attention to the problem.

Mr. TILSON. They have done me the honor of calling me in day after day along this particular line, and I know something of what they are trying to do.

Secretary BAKER. I am glad to have that appear in the record. The greatest activity is in the line of quantity production by Government and private manufacture.

Mr. KAHN. Can you give the committee any idea of what the contemplated expense will be under the provisions of the act that you have tentatively suggested?

Secretary BAKER. For one year from the date of passage it is estimated to be approximately \$3,000,000,000.

Mr. KAHN. In your opinion, that amount ought to be appropriated, I presume?

Secretary BAKER. I have sent to the Secretary of the Treasury and the Secretary of the Treasury, as I understand, has transmitted to Congress the actual estimates. I have detailed estimates all ready for the consideration of the committee, and Maj. Pierce will present them.

Mr. GARRETT. I should like to ask a few questions. What per cent of the arms, ammunition, and supplies for the Army are furnished by private corporations?

Secretary BAKER. Under normal conditions?

Mr. GARRETT. Under normal conditions, and what you now contemplate.

Secretary BAKER. Under the contemplated expenditures a very large part of it will be drawn from private sources.

Mr. GARRETT. What will be the policy of the department with reference to making contracts for those supplies? Will you secure bids or fix the prices?

Secretary BAKER. Fix the price.

Mr. GARRETT. How will you arrive at fixing the price? Where do you get your information as to the cost of the material and the labor going into the article manufactured?

Secretary BAKER. The Council of National Defense has a committee on that subject, and has accumulated a very large amount of information. The War Department makes some of practically every article of which it buys any. So we have the experience of the Government factory, which tells us nearly what goods should cost. As to the question of price fixing, it is the intention not to have, as the national-defense act provides, competitive bidding, but contracts made and awarded by a committee of purchase upon agreements as

to price, so as to avoid excessive profits or conflict between the various departments.

Mr. GARRETT. That is the point, the question of excessive profits. If we are going to demand that men give up their lives for their country, and we must also demand of the industrial concerns of this country that they give up their profits absolutely during this war. That is what I have in mind now, whether this committee or this board would have any power to bring before them the manufacturers and compel them to show just what it costs them, just like is done in the case of private corporations?

Secretary BAKER. It is not possible to say now just how far we can go. The European countries have gone to the extent of controlling the raw-material supplies. When they give a contract for, say, 100 pairs of shoes, they say: "You can get your leather at this place for so much, your thread at this place for so much, and your pegs and nails at this place for so much, and you will make the shoes for so much." They take the contract on that basis.

Mr. TILSON. The books of the companies are all open?

Secretary BAKER. Yes, sir. I do not think there is any intention that there will be any considerable excess profits. The question of dealing with excess profits is, of course, a question of taxation.

Mr. GARRETT. In regard to the question of fixing the price, the profit that any concern shall have that furnishes the Government with any supplies should be based upon the actual cost price, and the taxes should be added to that then, as we do in private business. The Government should not permit a man to make an excessive profit on what he is supposed to supply the Government under this emergency.

Secretary BAKER. May I make an explanation? What I meant by saying that it is a question of taxation, is this: The question of fixing the price and determining the profit is obviously complicated and bears upon other obscure elements. Whether the profit shall be gross dependent on the capital stock, or whether it shall be gross, dependent upon the actual value of the property, or whether it shall be on the production of the raw material, are all difficult and obscure questions, and a rule that might apply to one manufacture might not apply with equal justice to some other line of business. I do not undertake to express a confident opinion as to the probable answer.

Mr. OLNEY. As to fixing the price of wool, it has been intimated that they might mark up the price 25 or 30 per cent if the Government proposed to fix the price?

Secretary BAKER. I think it is perfectly fair to say that the Government will not be deceived as to the value of any product they might want to buy by marking up the price.

Mr. OLNEY. Taking into consideration the fact that much of the wool was bought at a time when there was no embargo from England and its colonies, and that to-day such an embargo exists, and that many of those wools were bought at a speculative price, and that to-day perhaps they could be sold at a profit of 100 per cent, it is a very important matter.

Secretary BAKER. It is a very important matter.

Mr. OLNEY. So far as my wool goes, the Government can have it at cost, although it shows a profit at this time of 30, 40, or 50 per cent.

Mr. GARRETT. The reason of my question was, as you will understand, it has been published throughout the country that during this war the manufacturing concerns of our country have made profits far beyond their most hopeful dreams.

Secretary BAKER. Yes, sir.

Mr. GARRETT. I am not complaining of that, inasmuch as they were dealing with other countries, but I think an entirely different situation confronts us now, and when they come to deal with their own country they should be given to understand at the outset that the days of enormous profits are over until the war is over.

Mr. ANTHONY. You have already taken up that matter?

Secretary BAKER. The Government has organized and is operating agencies which are addressed to the problem of getting fair prices.

Mr. ANTHONY. Ten per cent profit?

Secretary BAKER. I do not think there has been any definite determination.

Mr. ANTHONY. The Navy Department has fixed the price?

Secretary BAKER. The Navy Department has considered it in some of its contracts.

Mr. HULL. Did I understand you aright that where the Government manufactures a certain article that that was to be taken as the price that would be allowed to the private manufacturer?

Secretary BAKER. No, sir. I said that the Government operated a lot of manufactures, which gave it information as to the cost of manufacturing, which would be considered in fixing the price.

Mr. CALDWELL. What about royalties? Many of the things used in the Army are covered by patents. Have you taken up the question of determining that matter?

Secretary BAKER. How could that be done?

The CHAIRMAN. Only by an act of Congress.

Mr. LUNN. The question has been raised as to whether we are going to conscript wealth or personnel. Of course, that is up to the Treasury Department and the Ways and Means Committee. I think Mr. Garrett has stated, if it is not very clear, that the men working for the Government are going to work practically for the love of country, and that may have a decided deterrent effect upon the enthusiasm of a great many men. I get from the newspapers that there is an inclination on the part of the large manufacturers to go the limit toward serving the Government, without demanding the excess profits that they ordinarily would make?

Secretary BAKER. There will be a great volume of patriotic offers on the part of thousands engaged in the industries, as well as persons offering individual services. I should like to have that appear in the record.

Mr. GARRETT. Mr. Secretary, from our part of the country we receive a number of inquiries. For instance, I received a letter from a prominent citizen yesterday who served in the Spanish-American War—I think, perhaps, he might have had the rank of captain—who said that he wants to raise a brigade of cavalry or something of that sort, if he can get a commission. There is no place in the bill for him?

Secretary BAKER. There is no place for him.

Mr. GARRETT. That is, there is no place for him to be appointed to go out and raise a brigade of cavalry and be covered into the service?

Secretary BAKER. No, sir.

Mr. CALDWELL. What is the place for a Spanish War soldier to volunteer?

Secretary BAKER. It is to have a statement of his military experience on file so that it can be considered in determining whether he will be invited to take a commission from civil life in any of the forces provided here. He can of course join the Officers' Reserve in a rank commensurate with his previous experience.

Mr. CALDWELL. If he writes a letter and volunteers his services and attaches to it a statement of his military record, that could be verified from the military records in the department, but if he refers to a foreign military record he should send with it, I presume, some certificates showing what his military record was?

Secretary BAKER. I do not think we would be particularly exacting in the matter of having any verification of his statement. If a man had served in a European army as a major and had conducted certain military operations we would be very glad to know of it and to give him such place in the Army as would be commensurate with his services. We might want to send for him and see him and talk with him.

Mr. GREENE. Mr. Secretary, I have two questions I would like to ask which do not relate to matters of detail or preparation and perhaps might be deferred. The first one is rather in the form of a suggestion: Inasmuch as this committee will be expected to work in such intimate relation with the War Department and its policy throughout this emergency, would there be objection on your part to directing that such orders, circulars, and other similar papers that are issued from time to time by the War Department and distributed among its chief officials might also be sent to the individual members of this committee; in other words, to extend your mailing list to that extent so we may be kept in daily touch with what the department is doing and then we would not only be better informed individually, but be more responsive to your needs.

Secretary BAKER. I think that is a very desirable thing to do, and I will ask The Adjutant General to do it. That, of course, excludes orders which it is not desirable to have made public for military reasons.

Mr. GREENE. Yes; of course. I had in mind such orders as would keep us in touch with the general situation in the department so far as the public is concerned.

Secretary BAKER. That seems to me to be a very desirable thing.

Mr. GREENE. Now, this question is suggested because it may help us to answer some Members on the floor. Newspapers recently have carried the information that the banking concern of Morgan & Co. had offered to place a credit of \$1,000,000 to the Government in order to tide it over in the purchase of Army supplies because of the failure of the Regular Army appropriation bill in the Sixty-fourth Congress. I understood that the Government had not accepted that offer, but I have since seen editorial and other newspaper references indicating that that information is not general. Do you, Mr. Secretary, care to put anything into the record in regard to that matter?

Secretary BAKER. The offer was \$1,000,000 and was a statement which I understand to have been made by Mr. J. P. Morgan because of certain contractors dealing with the New York quartermaster depot finding it difficult to finance their operations on warrants which were not to be paid until Congress should have made further appropriations. It was not sought by the department and, while a very generous action on the part of Mr. Morgan, has not been acted upon, because the Treasury Department has been able to effect the necessary arrangements to maintain the credit of the department during the interim.

Mr. WISE. Mr. Secretary, I would like to ask one question with reference to the raising of the 500,000 men which it is provided by this bill shall be raised by conscription and distributed among the different States according to population. As I understand, the first step is to have a registration of all young men between the ages of 19 and 25. To illustrate, take the State of Georgia. Suppose you wanted 10,000 men from that State and suppose there should be 40,000 on the registration, how or by what method are you going to say which ones shall go and which ones shall stay?

Secretary BAKER. The jury wheel—that is, select them as juries are selected; put their names in a wheel and select them according to lot.

Mr. WISE. Why would it not be really better and why would it not be advisable, if they have out of the 40,000 10,000 who want to go, to allow them to volunteer and go?

Secretary BAKER. For the double reason that it is frankly going to the volunteer system with whatever defects that system has; and in the second place, those who did not volunteer would be put under some humiliation while those who did go would probably be the most spirited youths of your State and ought not to be first taken to be sacrificed.

Mr. WISE. Do you not believe a man who really wanted to go and was anxious to go would make a better soldier than the man who really went in half-heartedly or did not want to go or for some reason felt like he did not want to fight at this time?

Secretary BAKER. I do not think I would like to say that. I think some of the bravest men in the world and some of the men who have done the best work have been men who shrank from conflict rather than those who courted it.

Mr. CALDWELL. Then you would not be taking the best men.

Secretary BAKER. We would not under those circumstances.

Mr. GORDON. Mr. Secretary, do you recall the date, approximately, when the present conscription law was passed in England?

Secretary BAKER. I do not.

Mr. GORDON. Since last August, was it not?

Secretary BAKER. I do not know.

Mr. GORDON. However, whatever legislation was passed on that subject was the result of more than two years of experience. I am asking this in reference to the question asked by Gov. Shallenberger. If the present act in England represents the experience and information afforded by more than two years of actual war, might it not be of value as expressing the judgment of the English people upon this subject?

Secretary BAKER. I tried to answer that before, Mr. Gordon. I think that England has gone step by step from one experience to another, and each time it has taken a step it has taken it from the place it last stood rather than at the beginning adopting a policy which it would have adopted if it had foreseen the size and length of the conflict.

Mr. CALDWELL. You said, Mr. Secretary, a few moments ago, that this was your bill; that is, you had dictated its outlines; and you said you were willing for these men to come up here and testify about their knowledge on this subject, but that you wanted to state the policy of the department. Where did you get your information on this proposition? You did not get it out of thin air. [Laughter.] I may be laughed at, and it may sound foolish, but I have never been able to think of anything without having something to base my thoughts on.

Secretary BAKER. I am now 45 years of age, and for the last year of my life—

Mr. CALDWELL (interposing). Maybe I will learn something in the next three years. I have not gotten to that stage yet.

Secretary BAKER. I do not want to suggest that the difference between us in age makes any difference in that respect, but I am trying to account for the fact that I had an idea on the subject. I am 45 years of age, and for the last year of my life I have done nothing but study these problems, and this particular problem, and I think it would not be improper for me to expect of myself, when I come to consider this problem, some ideas on the subject.

Mr. CALDWELL. Certainly; but would you have better ideas than men who have been studying this problem from a military point of view for the past 40 years instead of one year?

Secretary BAKER. If from what I have said before I have been understood to claim the credit of all the wisdom there is in this bill, I hope that will not so appear in the record. Every idea I have had has been canvassed with my associates in the Military Establishment.

Mr. KAHN. And you so stated.

Secretary BAKER. And so far as I know have had their approval and I have been benefited by their counsel at every point and instructed every minute.

Mr. CALDWELL. But in your statement as to what they could testify to here, you seem to limit them.

Secretary BAKER. I am not trying to limit them at all; quite the contrary. They are perfectly free to speak on any subject they choose, but when they all have spoken I want it understood that the War Department speaks by the Secretary and not by any individual officer who may appear here.

Mr. KAHN. Mr. Secretary, just one question in addition to what Mr. Gordon asked, about the action taken by the English. For fully one year before the law of conscription was passed over there the British Cabinet was considering the matter. Of course, they have a different form of government from what we have. The ministry probably was afraid at one time to submit it because they thought it would not meet with the approval of the people at that time; but so far as the Government of England is concerned, they had in mind,

according to the press dispatches that we read, the matter of legislation in favor of conscription fully one year before it was put into effect; is not that your recollection?

Secretary BAKER. Even if that were so, that would not militate against the analogy Mr. Gordon sought to draw. He was rather referring to the spirit of England than their particular government, as I understood him. I think both statements are accurate.

Mr. GREENE. Mr. Secretary, by way of emphasis, where did the phrase "muddling through" originate? Was not that exactly in line with the statement you have made that they have gone from experience to experience?

Secretary BAKER. I suppose no one book represents the spirit of England in as dramatic a form as "Mr. Britling," and "Mr. Britling" has drawn the picture that will last as long as literature, I think, of a nation "muddling through."

Mr. HULL. Mr. Secretary, do you expect this committee to adopt this plan as you have drawn it, or is it all right for us, acting as a committee with a majority governing, to try to improve the bill as our mental processes dictate to us?

Secretary BAKER. This is the bill I believe in and is the bill I recommend. I hope you shall pass it in this form.

Mr. HULL. But we live in a republican form of government, and we are the highest committee on this proposition, and we have to account to the people. Have we not the right to improve the bill?

Mr. GORDON. Oh, of course, we have. I will answer that question myself.

Secretary BAKER. Mr. Hull, there is no suggestion in this bill that any compulsion shall be exercised by the Secretary of War on this committee.

Mr. HULL. And it would be perfectly loyal to do that?

Mr. GARRETT. In other words, Mr. Secretary, you do not propose to draft this committee first?

Secretary BAKER. No.

Mr. MORIN. Is not the question, Mr. Secretary, of what troops will be sent to Europe first, when it becomes necessary to send troops, one that should be left to the judgment of the General Staff or the officers charged with conducting this war successfully?

Secretary BAKER. I think it must be. I think the Constitution would require it even if we tried to require otherwise.

Mr. GORDON. The President is the commander-in-chief?

Secretary BAKER. Yes.

Mr. SHALLENBERGER. Has any contract been made yet for these made-over Enfield rifles?

Secretary BAKER. No, sir.

Mr. SHALLENBERGER. That is simply in contemplation?

Secretary BAKER. Yes.

Mr. Dent, there is one change in the language of the bill which you have, which I will ask Gen. Crowder to make, so when you have your committee print it can be included.

Mr. GREENE. May I suggest that in whatever form the change is communicated to the committee, the change be included in the stenographic record.

Secretary BAKER. The intention is to suggest adding to section 2 the words beginning "provided" and reading as follows:

Provided, That the President is authorized to raise and maintain by voluntary enlistment or draft, as herein provided, special and technical troops as he may deem necessary and to embody them into organizations and to officer them as provided in the third paragraph of section 1 and section 8 of this act.

Thereupon, at 1:30 o'clock p. m., the committee adjourned until Monday, April 9, 1917, at 10.30 o'clock a. m.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., April 9, 1917.

The committee met, in executive and confidential session, at 10.30 o'clock a. m., Hon. S. Hubert Dent, jr. (chairman), presiding.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR, ACCOMPANIED BY MAJ. GEN. HUGH L. SCOTT, CHIEF GENERAL STAFF; BRIG. GEN. ENOCH H. CROWDER, JUDGE ADVOCATE GENERAL; MAJ. P. E. PIERCE AND MAJ. DENNIS E. NOLAN, GENERAL STAFF CORPS—Resumed.

The CHAIRMAN. Mr. Secretary, when we finished Saturday we had gotten down to the proposition of the cost of this proposed legislation, and I notice the estimates that were sent in by the Treasury Department ask simply for a lump sum. Have you the details of that?

Secretary BAKER. The details of that Maj. Pierce has, and it will be very much better for you to get it direct from him than from me; but as a preliminary to that I will say to the committee that I very urgently recommend that the appropriation be a lump sum, so that we can have the greatest elasticity and apply it from one thing to another.

Mr. GORDON. What is the amount?

Secretary BAKER. The amount is about \$2,900,000,000, and Maj. Pierce has the figures here; but I want to say this, in explanation of the lump-sum appropriation: In operations of the kind we are now going into it is impossible with accuracy to foresee an exact subdivision of the various sums of money that we will have to spend. The prices of material are, of course, varying. Attempts to secure favorable and uninflated prices are being made with varying success in different directions, and very many new kinds of things are being constantly suggested to the department to be done. You gentlemen will not be in session and it will not be possible for us to come to you and to get flexibility in these appropriations after you have adjourned, and for that reason it is my hope you will yield to the lump-sum appropriation, having in advance, not as controlling but as explanatory, the details which the department at present estimates make up that sum.

The CHAIRMAN. Somebody asked about the amount of the lump sum. It is \$2,932,537,933.

Secretary BAKER. Substantially \$3,000,000,000.

The CHAIRMAN. And that is to remain available until the end of the fiscal year 1918 only, I believe?

Secretary BAKER. That is my understanding of it. Perhaps I ought to make one other comment about that sum. Many of the items which you can discover in the details which Maj. Pierce will give you are items which could not be expended perhaps in a year; those dealing with heavy ordnance and things of that sort. The United States has never been equipped for quantity production of various supplies that the Army needs. In order to get immediately the very large quantities of things we need or as immediately as they can be gotten, it will be necessary for us to divert factories from one industry to another to get men who are doing one kind of thing to tool up their factories for our kind of production. It is not possible to secure that to be done unless contracts be given that justify the doing of it financially. I have in mind particularly, for instance, the business of manufacturing aeroplanes. There are two or three factories in this country which, it is believed, are especially adapted to the manufacture of aeroplanes, but which at present are manufacturing motor cars. If a three-year program could be provided by which those motor-car companies—

The CHAIRMAN (interposing). I would suggest, Mr. Secretary, that you can not do that under the Constitution.

Secretary BAKER. I realize that is true, and that no appropriation can be made available for more than two years for military purposes, but we could make the contract which would provide for payments to be made and deliveries to be accelerated so they would come within that period. I know the constitutional difficulty, but I am explaining now the large sums that can be expended in a single year and which are necessary to cause this diversion of factories into our kind of production.

The CHAIRMAN. Right in that connection, I notice that the estimate uses this language, "To be immediately available and to remain available until expended." I rather thought that would be against the Constitution, but the draft of the bill, section 10, provides that it is to remain available until June 30, 1918. That would be all right, of course.

Secretary BAKER. Whatever language you use will be restrained by the Constitution, so that the language in the appropriation would not be against the Constitution, because the Constitution would be superior to it and control it and make it mean within the two years.

Mr. TILSON. The language could remain the same, and the construction of it would have to be that it could be expended until two years from the date of the passage of the bill.

Secretary BAKER. I think so; is not that true, Gen. Crowder?

Gen. CROWDER. Yes.

The CHAIRMAN. Then, as I understand, so far as the details of this estimate are concerned, Maj. Pierce will explain them?

Secretary BAKER. Yes; Maj. Pierce is here with me, and I would like to have you inquire of him about that.

The CHAIRMAN. Then we will leave that subject until we are ready to hear Maj. Pierce, unless there are some questions the members want to ask the Secretary about the amount. If not, suppose we take up the bill section by section.

Mr. KAHN. I would like to ask the Secretary a question about the cost. Were your estimates based on present-day costs?

Secretary BAKER. Yes; largely based on present-day costs.

Mr. KAHN. So they do not take into account at all the probability of an increase in the prices of various commodities?

Secretary BAKER. I think not. I think they are based on present-day costs entirely; are they not, Maj. Pierce?

Maj. PIERCE. Some allowance has been made for expected increases in certain articles.

Mr. GREENE. I would like to follow that with one question before we take up the details of the bill. Mr. Secretary, will there be any suggestion to us with regard to a possible change in the Army pay tables? Is there anything in the bill that suggests that?

Secretary BAKER. No, sir.

Mr. GREENE. Has the department taken into consideration the experience of the mobilization on the Mexican border and the act of Congress which provided a sum for the support of dependent families of soldiers with regard to any possible action in connection with this emergency along similar lines?

Secretary BAKER. The estimates will be found to include a sum for taking care of dependents; but it is the present intention of the department, and this bill gives us power and discretion so to do, to eliminate persons having dependents either in their immediate families or mothers or brothers and sisters who are minor children.

Mr. KAHN. Will that apply alike to officers and enlisted men?

Secretary BAKER. I had not thought of applying it to officers, because the compensation of officers is ordinarily large enough to take care of their families. It will apply wherever the burden would otherwise be thrown on the Government or the community.

Mr. GREENE. Then it is the contemplated or possible policy of the department to get around this by not taking the men likely to have dependents rather than provide means for the support of them?

Secretary BAKER. By excusing those who have dependents.

The CHAIRMAN. Before we start on the bill are there any other questions?

Secretary BAKER. It might be worth while, Mr. Dent, to point out that that policy was not possible to be adopted with regard to the militia or National Guard when it was called out before, because of the feeling in the guard in many places that it would be prejudicial to the guard, the guard having been formed on the other theory, and immediately to have discharged all the married men in it would have been to wreck the guard substantially. Therefore it was not possible to carry out that policy at that time; but now, as we are organizing substantially a new force and the draft power applies to supplement the guard, and we will have the guard at full strength, as a result of its operations the objection which originally obtained to excusing married men no longer exists.

Mr. McKENZIE. Mr. Secretary, in view of what you have stated about conscription and your purpose to excuse those who claim to have dependents, will not that involve on the department a great deal of work in investigating whether or not a certain man is entitled to be excused on account of the fact that he claims to have dependents?

Secretary BAKER. Yes; it is a very large undertaking.

Mr. McKENZIE. Have you thought of whether or not it, perhaps, would not be wisdom to take the other horn of the dilemma and pay something to the dependents rather than enter upon that field, where, undoubtedly, many men who object to conscription will endeavor in one way or another to escape service?

Secretary BAKER. I have thought of that very carefully, and if I felt we could pay for the sacrifice involved that might be the easier way of doing it, but I do not think you can pay either the social or personal loss which is involved in separating a father from his young children, or his wife and children, and unless the Government's need were paramount I would not want to do it.

Mr. NICHOLLS. Mr. Secretary, I should think you ought to have some limit as to when the man is married, so they will not marry in order to avoid service.

Secretary BAKER. Yes; you can be perfectly certain that this bill will not establish a Gretna Green.

The CHAIRMAN. The first section of the bill, in substance, authorizes the increase of the Regular Army up to full war strength. The first question I want to ask you about that, Mr. Secretary, is one which I will ask because we will be asked it on the floor. Why is that necessary? Is not that substantially the law as it is now found in the national-defense act? In other words, since the declaration of war by Congress, has not the President that power now?

Secretary BAKER. I think he has. This is declaratory rather than additional.

The CHAIRMAN. Then the sole purpose of this section is simply that Congress express its approval of the action of the President in taking advantage of that power?

Secretary BAKER. I think that is true.

Gen. CROWDER. There is one other thing to note: You will find associated with clause first some new legislation, and it was for the purpose of connecting up this new legislation with the authorization to raise all the increments that the authorization here was repeated. It enables you to put in some legislation about vacancies in the Regular Army and how they shall be filled and some new regulations respecting temporary and provisional appointments suggested by The Adjutant General of the Army.

The CHAIRMAN. In other words, you refer to the last sentence of that provision?

Gen. CROWDER. Commencing with "vacancies in the Regular Army created or caused by the addition of increments," etc., following the first sentence.

Mr. CALDWELL. That reads, "vacancies in the Regular Army created or caused by the addition of increments as herein authorized which can not be filled by promotion may be filled by temporary appointment for the period of the emergency."

Gen. CROWDER. Under the national-defense act they are filled by provisional appointments.

Mr. KAHN. Should not something be added there—vacancies among the officers or something of that kind? You say here, "Vacancies in the Regular Army."

• Gen. CROWDER. It would not be misunderstood in this form, but that would give it greater explicitness. We do not fill vacancies among enlisted men by appointment, but by enlistment.

Secretary BAKER. It later says "that the officer has not the suitability," etc.

Gen. CROWDER. Yes; there is no mistaking the fact that the clause relates to officers.

Mr. CALDWELL. Where do you expect to get the men for these provisional appointments?

Secretary BAKER. From a list stipulated in the third paragraph of the same section, on page 3.

Mr. QUIN. Mr. Secretary, referring to the men who volunteer in the Regular Army, does that mean just for the emergency, and when this war is over they go back to private life again, with no strings on them for the Army?

Mr. BAKER. Yes, sir.

Mr. SHALLENBERGER. I would like to ask you this general question: Mr. Caldwell asked you the other day as to where you got your ideas, etc., in drafting this bill. Have the members of this committee been consulted—the chairman or any member of the committee—before drafting this bill in order to get their ideas upon it?

Secretary BAKER. I can not give a sweeping answer to that. I have talked from time to time with members of this committee, but I can not say I had any specific conversation with anyone of them as to what should go into the bill.

Mr. SHALLENBERGER. Have you had any consultations with the chairman of the committee of the Senate about it?

Secretary BAKER. I had, perhaps, 15 minutes' talk with Mr. Dent on the subject, and 16 or 14 with Mr. Chamberlain.

Mr. SHALLENBERGER. Was your conversation with Mr. Dent before you drafted the bill or afterwards?

Secretary BAKER. I think the bill was in progress of being drafted when I talked with Mr. Dent, and the same is true of my talk with Mr. Chamberlain.

The CHAIRMAN. It had not been put in complete form?

Secretary BAKER. It had not been put in complete form, and I told you what the main ideas were.

Mr. SHALLENBERGER. We had a good deal of discussion before you came in about newspaper articles, and the newspapers have carried a good many stories about the Chairman of the Senate committee being constantly consulted about this military program, but I have not seen any place in the newspapers where the chairman of our committee has been consulted, and I wondered if that was an actual fact or merely a newspaper story.

Secretary BAKER. I will be very happy to set myself right about that. I have not spoken to any newspaper man on the subject further than to say that a disclosure of the details of the bill could only be made from the committee to which it has been sent. A copy of the bill was sent simultaneously to Mr. Dent and to Mr. Chamberlain. I have not disclosed any of the contents of the bill to anybody, nor have I spoken to any newspaper man on the subject.

Mr. SHALLENBERGER. I say that in part because I think it is fair to be stated that you have given your time and thought very earnestly to this matter, of course, since you first took up the matter, but I am also aware that several men on this committee have been here many, many years. I think perhaps Mr. Kahn has been on this committee for 18 years.

Mr. KAHN. No; not on this committee. I have been on this committee 12 years.

Mr. SHALLENBERGER. Well, there are many who have served a long while on this committee and perhaps longer than those on the committee of the Senate, and I was anxious to have it go in the record whether or not the Senate Committee has had any special preference over this committee.

Secretary BAKER. Quite the contrary. I have not spoken to any member of the Senate committee except Mr. Chamberlain, and my conversation with him was almost identical in terms with my conversation with Mr. Dent, and when this bill was being formulated you gentlemen were not in session and were not in Washington.

Mr. SHALLENBERGER. And furthermore, the reason I was anxious to get this information was the fact that while of course it is only fair that you should have consulted the Army officers to give you the military side of it, I think it is also fair to say that this committee has the proposition of putting this matter through Congress and the principal issue, as you know, is going to be in regard to the manner in which we shall raise these men for the Army, and as to that side of it, if the Senate committee was being consulted, we who have to put it through the House and will perhaps have the bigger task, are entitled to the same consideration.

Secretary BAKER. I do not think Senator Chamberlain will object to my telling you what he told me. When I told him what my idea was he asked me could I not take out the provision here for raising the additional forces and insert the so-called Chamberlain bill as a permanent policy of training, and I told him I had not seen his bill in the last form in which he had introduced it, and he gave me a copy of it and I agreed to look it over, and I later read it and told him I did not think that it was wise or possible to do that now. That is practically the extent of my conversation with him.

Mr. SHALLENBERGER. Furthermore, I think it is a matter of record that somebody gave out a statement that the present bill passed through the House was not to be considered fully in the House, but that in the Senate the legislation which the War Department would require would be inserted over there.

Secretary BAKER. That is a very natural misunderstanding. I wrote a letter to the chairman of this committee and asked him in the interest of speed to introduce and ask the House to pass the regular appropriation bill for this year in the form in which it did pass the House, and I told him I thought we could ask the Senate or the conference committee to consider any amendment that might be needed, and I did that not at all because I supposed this committee would fail in any attention to our request, but in the interest of speed seeking to have these changes considered in conference. That applied solely to the annual appropriation bill and had nothing whatever to do with this legislation.

The CHAIRMAN. If you will permit me, Gov. Shallenberger, it is only fair to the Secretary for me to state in that connection, and I believe I am correct in it, and if not the Secretary will correct me, that that was not the Secretary's first impression. The Secretary's first impression was to ask me to put increases on the bill, and I made the suggestion that I thought that by passing it in this way it could be expedited and you finally agreed with me, Mr. Secretary.

Secretary BAKER. Yes; and in order to complete that record I made the suggestion that perhaps it might save the committee from any embarrassment if I wrote Mr. Dent a letter making the request.

Mr. TILSON. Was it not also agreed, as you answered me upon the floor of the House, that there should not be any general legislation on the Army bill in the Senate; in other words, that it should not carry the Chamberlain bill, the General Staff bill, or any other bill of general Army legislation?

The CHAIRMAN. I stated to you, Mr. Tilson, as I recall, that as a member of the conference committee I would never agree to that.

Secretary BAKER. I hope it will be understood that that promise is limited in this respect: There are some changes which are desired in the so-called Hay bill, or national-defense act, to give greater flexibility to the present organization which we shall desire to have the conference committee consider.

Mr. TILSON. That is not what I was referring to.

Secretary BAKER. And I will say that any influence I have, if I have any, will be used to prevent any attempt to consider the so-called Chamberlain bill or the General Staff bill as a rider or a part of the appropriation bill for this year.

Mr. SHALLENBERGER. The purpose of injecting these questions was to give the War Department an opportunity to assure us about what, to a certain extent, was my own judgment, that the opinion gathered by the public perhaps that the Senate committee was in some way or other more to be trusted to secure the legislation which the War Department desired than the House committee was incorrect.

Secretary BAKER. I can not answer anything so indefinite as that. I feel quite certain—

Mr. SHALLENBERGER (interposing). I mean to say that that has not been the reason that the Senate committee has had this legislation put up to it instead of this committee.

Secretary BAKER. Quite so.

Mr. SHALLENBERGER. That you had no idea of that sort whatever.

Secretary BAKER. I would like to go so far as to say that even no indirect statement on my part could be discovered which would bear such an interpretation.

Mr. GREENE. Mr. Secretary, you refer to the possibility that some amendments would be necessary to the so-called national-defense act of June 3, 1916. I dare say your attention has been directed to or you have discovered the fact that in section 49 of that act there is a limitation in numbers upon the total number of reserve officers to be appointed, that limitation being not to exceed 50,000. I only suggest that here.

Secretary BAKER. I had not noticed it, but it seems to me this bill will relieve any difficulty there is there by authorizing as many as may be necessary and available for that corps. The suggestions which I am going to ask the conference committee to consider or the Senate committee, or both, are in writing, and I am ready to sign, when I get to my office, letters to Mr. Dent and Mr. Chamberlain simultaneously transmitting those suggestions, so your committee can have them and go over them before the conference is appointed.

Mr. ANTHONY. Mr. Chairman, I would like to ask the Secretary in reference to the latter part of this first paragraph, which says

that the provisional appointments under the section may be terminated whenever it is determined, in the manner prescribed by the President, that the officer has not the suitability and fitness requisite for permanent appointment. Under that section the President can appoint officers from the Reserve Corps, as I take it, to these vacancies that exist in the Regular Army as provisional appointments. Now, does the latter part of that paragraph give him the affirmative power also to commission those men from the Reserve Corps permanently into the Regular Army?

Secretary BAKER. I think not.

Mr. ANTHONY. I just wanted that made clear. The way I read it it gives him that affirmative power.

Secretary BAKER. It was not so intended. The theory of this bill, Mr. Anthony, is to retain the officer personnel of the Regular Army unbroken except as they may be temporarily detailed to serve in other places in the regular establishment, so that promotions and entrances will all be controlled by the Regular Army as a permanent establishment and governed by the same rules that now obtain.

Mr. ANTHONY. I think it would be perfectly proper to give him the power to fill those vacancies from the Reserve Corps, but not to make them permanent appointments in the Regular Army.

Gen. CROWDER. The provision you find in section 1 in regard to provisional appointments is explained in this way: You authorized provisional appointments in the national defense act and you established a probationary period. When we came to construe that act we found that whatever the unfitness of the provisional appointee was he was entitled to his full probationary period before he could be discharged. We have made it now in this section so that the President may discharge that man at any time and not wait for the expiration of the probation which he is entitled to.

Mr. ANTHONY. But you say that there is no power in this bill that will give the President authority to permanently commission any man so appointed from the Officers' Reserve Corps into the Regular Army?

Gen. CROWDER. That is right.

The CHAIRMAN. We will pass to the second section of the bill, providing for the draft of the National Guard into the service. Now, the same suggestion applies to that that applies to section 1, and that is that it is the present law, as I understand it.

Gen. CROWDER. The present law says that we may draft the National Guard only when Congress shall have authorized the use of the land armed forces in addition to those that we now have.

The CHAIRMAN. Did not the resolution do that?

Gen. CROWDER. The declaration of war?

The CHAIRMAN. Yes.

Gen. CROWDER. I think it authorized him, not to raise additional forces, but to use the land and naval forces.

The CHAIRMAN. I have no objection to leaving it here as it is, but I thought if there was any further reason why it should go in we ought to have it so that we can answer questions in regard to it on the floor.

Gen. CROWDER. You will observe, also, that that clause 2 carries this provision:

So far as the provisions of said section may be applicable and not inconsistent with the terms of this act.

So it is the effect of this bill to introduce some modifications of section 111 of the national-defense act.

Mr. TILSON. Where it provides that they shall serve therein for the period of the existing emergency unless sooner discharged—is that intended to be a qualification of the enlistment contract, or will they have to continue after their enlistment contract expires under this law?

Gen. CROWDER. Its effect will be to terminate every enlistment contract which is now in force, as well as those that are to be made when the emergency terminates.

Mr. TILSON. If a man's enlistment term expires before the emergency terminates, will that man be discharged from the service or will he be held under this section for the remainder of the time of the emergency?

Gen. CROWDER. Another clause which operates to extend all the existing enlistment contracts during the period of the emergency covers that.

Secretary BAKER. All enlistment contracts made under this act are made for the period of the emergency.

Mr. TILSON. As I understand it, all of the men enlisted under this bill are enlisted for the period of the emergency, but if a man has already served two years of the three years of his enlistment period, and is drafted into the service of the United States under this bill, will his time expire in one year, or will his term of enlistment be extended until the emergency is over?

Gen. CROWDER. It will be extended.

Mr. CALDWELL. The language of the bill is, "shall serve therein for the period of the existing emergency."

Mr. TILSON. Unless sooner discharged.

Mr. CALDWELL. That means if he is discharged for disability or is court-martialed and dismissed from the service, or, if he is dismissed under any of the rules of war, he would, of course, be discharged.

Mr. KAHN. I would like to ask you a question right there regarding that language, "for the period of the existing emergency": Is it possible to add new language in place of that so as to provide for another kind of contingency? The existing emergency, of course, is the war with Germany, and these men would remain until that war was concluded, I take it, under this section. But suppose we should make peace with Germany and at the same time we should have an emergency in Mexico, would you discharge all of those National Guardsmen and then call them out again for the emergency which would have arisen in the meantime?

Gen. CROWDER. If the emergency were wholly disconnected from this emergency, they would be entitled to their discharge, but it would be competent for Congress at any time by legislation similar to this to further extend their periods of enlistment.

Mr. KAHN. Do you think you could take care of that without resorting to specific legislation?

Gen. CROWDER. It would depend upon whether the new emergency were wholly disconnected from this emergency.

Mr. KAHN. I have in mind this situation: Of course to discharge them and then reenlist them would be an enormous expense to the Government, and I wanted to avoid that if it is possible to do it by the use of adequate language here.

Secretary BAKER. It seems to me that there could be no other war except this emergency unless Congress declared it, and in your act declaring it you could at the same time make that provision.

Mr. KAHN. Pardon me, Mr. Secretary, but there could be an emergency without there being actual war. Suppose, for instance, we should conclude peace with Germany, but, in the meantime, we should have trouble with Mexico or with some other country which looked very ominous, would you want to discharge all of those men and then reenlist them subsequently? Would it not be better to hold them for that other emergency that might be looming up on the horizon?

Mr. GORDON. You would not place them where they could hold them perpetually?

Mr. GREENE. May I suggest some language in that connection?

Mr. KAHN. I want to save the country the expense of reenlisting them if it can be done by adequate language.

Mr. GREENE. I think I gather your thought, Mr. Kahn. There might be a coincident military necessity which might likely grow out of this present emergency. Before their discharge some danger coincident with or growing out of the existing emergency might occur. Why not, after the words "after the existing emergency," interpolate something to meet the then "existing military situation"?

Mr. KAHN. That is just the idea I wanted to call your attention to, to see whether you could not suggest something to provide for such a possible condition.

Secretary BAKER. I am afraid if I tried to do that we might engender the fear on the part of some people that, even after we get out of this difficulty, which is the existing emergency, they will still be kept in the service by Executive act.

Mr. TILSON. Don't you think that it would depress their spirits a little bit to know that they could be kept perpetually in the service? Now, would it be fair to keep those men who enlisted for three years and who have served two years already in the service indefinitely by saying to them, "We will extend your contract of service indefinitely"? Is that fair to the individual; and can we, as a law-making power, afford to do that?

Mr. QUIN. Would not that language abolish the National Guard? It strikes me that the effect of it would be to abolish the National Guard. Is that contemplated at all?

Secretary BAKER. The Judge Advocate General has sought to answer that question, and he calls my attention to an inaccuracy in an answer I made to you on Saturday. It does abolish the National Guard in the sense that it abolishes the Regular Army too. That is to say, all contracts of enlistment in the Regular Army, in the National Guard, and the additional forces will be for this emergency. When this emergency is over all contracts of enlistments will be over in the National Guard, will be over in the Regular Army, and will be over in the additional forces provided for.

Mr. TILSON. That is, all contracts made under this particular act.

Secretary BAKER. To all contracts that are prolonged by this act.

Mr. ANTHONY. Would not that paragraph give you power at the conclusion of this war to discharge every member of the National Guard and thus discharge that organization?

Secretary BAKER. I think we ought to face the facts. All of the military forces under this bill would be discharged by an official declaration that the emergency was over—that is, the Regular Army, the National Guard, and the additional forces. It would then be up to Congress to reinstate the Regular Army and up to the States to reinstate the National Guard.

Mr. ANTHONY. If you discharged every member of the National Guard the National Guard would then lose its identity and would go out of existence unless it were reembodyed by Congress?

Secretary BAKER. No, sir; reinstated by the States.

Mr. ANTHONY. It would be destroyed?

Secretary BAKER. In that sense; yes.

Mr. ANTHONY. Would this paragraph 2, drafting the National Guard, disfranchise its members? Would it disfranchise the members of the National Guard?

Secretary BAKER. I do not know what would be the effect of that.

Mr. ANTHONY. Would this provision drafting the National Guard into the Federal service have the effect of disfranchising the members of the National Guard?

Secretary BAKER. I would be glad to have the Judge Advocate General answer that.

Gen. CROWDER. Only in the States which disqualify officers and soldiers of the Army from voting.

Mr. ANTHONY. How many States do that?

Gen. CROWDER. I looked into that about two or three years ago, and I think the number of States was seven.

Mr. ANTHONY. I had a protest yesterday in the form of a telegram which was signed quite largely, and it was stated in that protest that it was feared by the National Guardsmen that that provision would disfranchise them.

Mr. CALDWELL. The language of that section, "any or all members of the National Guard," was taken from the national defense act. It was taken from section 111, I take it, of the national defense act. Mr. Secretary, my attention has been called to this situation: In the Seventy-first New York Regiment they had selected a number of men for enlistment.

They had an enormous number of offers for service from among the citizenship—from people who wanted to join the National Guard—but, as I am informed, an order from Washington came, and because of that they have been compelled to refuse those enlistments, or discharge them, or, rather, failed to take several hundred men who were there ready to enlist. They had the equipment with which to supply them. Now, what was the reason for that action, if it was taken?

Secretary BAKER. I do not know about that particular instance, but I know of numbers of such cases, and can give you the answer to it. A number of States desired immediate authority from the War Department to recruit their National Guard up to war strength. Now, if that permission had been granted generally it would have led to the immediate enlistment of the National Guard up to war strength.

and would immediately have made a draft on our supplies of equipment for those additional troops. In view of the fact that our supplies were at a low ebb, the contractors not having made deliveries under their contracts, and because of the failure of the appropriation bill at the last Congress, it was decided not to undertake at present to increase the National Guard to war strength.

Mr. CALDWELL. But there was no lack of equipment in this particular regiment.

Secretary BAKER. They may have had particular kinds of equipment, but they would have had to draw on the War Department for some other kinds.

Mr. CALDWELL. I want to call your attention to section 62 of the national defense act, which provides that—

The number of enlisted men of the National Guard to be organized under this act within one year from its passage shall be for each State in the proportion of 200 such men for each Senator and Representative in Congress from such State, and the number to be determined by the President for each Territory and the District of Columbia, and shall be increased each year thereafter in the proportion of not less than 50 per cent until a total peace strength of not less than 800 enlisted men for each Senator and Representative in Congress shall have been reached.

Now, I particularly call your attention to the fact that it says, "not less than." That is the minimum and there is no maximum National Guard. Now, I want to call your attention to the second proviso of that section which reads as follows:

Provided further, That this shall not be construed to prevent any State, Territory, or the District of Columbia from organizing the full number of troops required under this section in less time than is specified in this section, or from maintaining existing organizations if they shall conform to such rules and regulations regarding organization, strength, and armament, as the President may prescribe.

As I understand it, the National Guard is limited only by the number of men that they can induce to join the National Guard organizations in the States. This law provides further along that the National Government shall arm, equip, train, and pay all the men the States organize. Now, if that is the existing law, why would it not be a good plan for the department to issue an order calling upon the States under this provision of law and allowing them to enlist as many National Guardsmen as they can get?

Secretary BAKER. There is no money to-day to do that with.

Mr. CALDWELL. But Congress is in session.

Secretary BAKER. So was the last Congress in session, but it did not appropriate the money.

Mr. GREENE. Is it not also a fact that, while this section may appear to be as Mr. Caldwell says, the status of the National Guardsmen under the terms of that act is of two kinds—that is, one force maintained normally by the State, and the other coming in under special circumstances under Federal service and control. The Federal Government regulates the number of men that you may call and that it will provide for. Certainly this section also provides that all of this shall be determined by regulations issued by the War Department, so that the statute is elastic.

Mr. MCKENZIE. If I understand this bill, although I have not read it closely, it is proposed that the War Department shall fill up the National Guard to war strength by voluntary enlistments.

Secretary BAKER. Yes.

Mr. McKENZIE. So far as possible?

Secretary BAKER. Yes.

Mr. McKENZIE. Now, just by way of illustration, take the First Regiment of Infantry of Illinois. Suppose it is drafted into the service at war strength; suppose it has been filled up to war strength and drafted into the service. The national-defense act provides, if I remember correctly, that when a regiment of National Guard is drafted and called into the Federal service, that then there may be formed a reserve battalion or recruit battalion, to fill up and take care of the wastage in the regiment that has been called into service. Does this bill we are now considering repeal that law?

Secretary BAKER. It does not. It contemplates the continuance of the recruit battalions.

Mr. McKENZIE. And these regiments could be filled up by volunteers from their respective States all the time.

Secretary BAKER. My recollection of it is that the recruit battalions are to be formed in the manner provided for in the Hay Act.

Gen. CROWDER. I do not understand it that way. The procedure under section 79 of the national defense act gives way to the procedure in paragraph five of section 1. The recruit battalions provided for in section 79 will give way to the recruit training units provided for in clause five of section 1 of this confidential print. We will have one system of recruit units for all the forces brought into the service of the United States.

The CHAIRMAN. Then that paragraph is intended to take the place of section 79 of the national defense act?

Gen. CROWDER. Yes, sir; so as to make recruit training uniform for all the forces.

Mr. ANTHONY. Will the different State organizations lose their identity or will they be known by the present numbers that they carry in their States?

Secretary BAKER. I can not answer that.

Gen. CROWDER. Section 111 of the national defense act provides that when this draft is executed all relations with the State will cease; there is no National Guard in the States of the Union from the moment the draft is executed under section 111 of the national defense act, and if there is any relation reestablished between the States and the drafted forces when released from Federal service it must be reestablished by State legislation.

Mr. ANTHONY. So that the First Illinois Regiment that Mr. McKenzie speaks of will go out of existence?

Gen. CROWDER. As a State force; yes; but it can be still named the First Illinois Regiment, and in a preliminary study that was given to it at an earlier date that course was suggested.

Secretary BAKER. The difficulty that would arise out of that would be serious. For instance, if the First Illinois Regiment wanted to preserve its identity the colonel of that regiment would be the colonel of the First Illinois Regiment. He would bear that title as a mark of distinction. But he might be promoted to be a brigadier general and sent to some other place, because you could not keep him tied to a State organization all the time. The lower officers in that regiment might be equally promoted, and their use might be greater in some other organization.

Mr. MCKENZIE. I can see where that might be true, but I do not understand that that would change the status of the regiment. The fact that the colonel might be promoted to command some other regiment or some brigade or something of that kind or that an officer would be transferred from one regiment to another should not change the status of the regiment. It is simply a matter of State pride.

Mr. KAHN. Mr. Secretary, if you do not give the designation by States, what is the idea of the department in referring to them as National Guardsmen at all?

Secretary BAKER. They are drafted in as the National Guard and undoubtedly would preserve the intimacies and friendships that have associated them together as State units.

Mr. KAHN. Will you say the One hundredth Regiment of the National Guard, without any reference to the States?

Secretary BAKER. I do not think it would be necessary for them to lose their State identity at all.

Mr. CALDWELL. Section 79 of the national-defense act, from a reading of it, evidently contemplated that when the guard went out they would keep their identity, because there is a reserve battalion to keep it full.

Secretary BAKER. I can see no difficulty about it and certainly no objection to it.

Mr. TILSON. Would there not be a distinct advantage in having them retain their identity, and for instance, the First Illinois, although absolutely severed from any connection with Illinois and under complete control of the United States, there would be no objection to having them retain their identity, and the probable fact would be that they would come largely from that section of the country?

Mr. KAHN. The reason I asked my question was that you intimated there might be objection to it.

Secretary BAKER. I do not think there could be any objection.

Mr. KAHN. I did not think so, either, but I understood you to say there would be.

Secretary BAKER. I was thinking there would be some difficulty if the First Illinois, for instance, which we are now talking about, was to be kept together as a unit, officers and men, and the department was not able to shift here and there.

Mr. TILSON. I do not understand that that would follow at all. They would be absolutely severed from all State connection.

Mr. KAHN. Furthermore, under the national-defense act, while those men were in the field as a State regiment, the State would have to organize a reserve battalion for the purpose of supplying wastage.

Secretary BAKER. Gen. Crowder has just told us that that is not the effect of the act, but that the reserve battalions or the recruit battalions are to be maintained by the Government rather than the States, and are for supplying wastage in all forces.

The CHAIRMAN. Paragraph 5 of section 1 is intended, he says, to practically repeal, at least for the time being, section 79.

Secretary BAKER. Let me make this explanatory statement: The purpose of that, of course, is to have but one set of recruit battalions, so that the wastage in the Regular Army, the National Guard, and the additional forces can all be supplied from a single source in each State.

Mr. ANTHONY. Then, Mr. Secretary, there would be no responsibility resting on the State to keep the ranks of the first regiments full?

Secretary BAKER. None.

Mr. GARRETT. Mr. Secretary, reverting back to the question of continuation of service of those now in the service, I have two concrete illustrations in my mind as the reasons for my question. For instance, I have requests from two men who enlisted some years ago, one of whom I think has the rank of captain now, but since his enlistment and while he was furloughed under a former statute to the reserve he married, and now has a wife and an expected child. His term of service will expire next May. When this act passes that man is continued on in the service, and there is no provision made by which, having already served seven years, he may drop out and let somebody else take up the burden for a while. What are you going to do with such men who are now in the service?

Secretary BAKER. Well, I can not answer generally about that; but the department will endeavor, as far as it can, to meet the equities of a situation like that; and yet he would undoubtedly be required to stay in under the terms of this act.

Mr. GARRETT. It occurs to me would it not be well to put a provision in the act that this service is to be as near equal and uniform as possible, and that the people are to be made to bear it as their abilities might require; and where a person has now served in the Army for seven years, and inasmuch as we are beginning a new war, that there ought to be some provision made whereby his contract may be terminated without continuing a voluntary contract entered into by him through force of law?

Secretary BAKER. Of course, there is this answer to that, gentlemen: I have not looked at this situation from the point of view of the individual. I have looked at it as a national emergency. The Government of the United States, having participated in the training of the particular person to whom you refer, has made of him a citizen especially adapted to performing national service, and in a national emergency it has a peculiar claim upon his services to the country. Now, if it should turn out that that man or some other individual presented a case of peculiar hardship, the elasticity of this law is such that the President could recognize it and allow him to get out. But I have avoided thinking of individuals and have thought only of service to the country.

Mr. GARRETT. Now I have this further question: I notice the bill we are now considering carries the usual repealing clause providing that all other acts, the Hay bill or any other bill preceding this, which conflict with this act, are repealed, and in the construction of this law by the department where there were any other laws on the statute books which conflicted with this law, this law would govern. Now, referring to the National Guard, after they have been covered in, so to speak, to the Federal service, there would be no National Guard, and in the State of Texas during this war, we will say, if under the Constitution Texas wants to have a National Guard, she would get no aid from the Federal Government whatever, and whatever National Guard she had would be as the National Guard which they had many years ago, entirely independent of the United States,

and all the expense relative to the same would be borne by the State; is that your idea about it?

Secretary BAKER. I confess I do not know. What is the fact about that, Gen. Crowder?

Gen. CROWDER. There is nothing in this bill that would prevent Texas from organizing National Guardsmen in substitution of those who are drafted into the service of the United States. The extent of Federal aid which they would get would be dependent upon the appropriations which Congress makes for their support.

Secretary BAKER. But take the particular situation presented by Judge Garrett's question. Congress is just about to pass the annual appropriation bill for the department, and that contains substantial provision for Federal aid to the National Guard. The National Guard are now drafted away from Texas. Is there any reason why the State of Texas should not organize a fresh National Guard and get the financial support that is provided in that bill?

Gen. CROWDER. I know of no reason why—

Mr. GARRETT (interposing). That is exactly the question I have in mind, our entire National Guard being called into the Federal service. For instance, suppose the Federal Army is moving far away from Texas—of course, that is not practical now, but we do not know where this war is going to lead us—suppose Texas should say: "All of our National Guard is now in the Federal service," and they should want to organize a number of companies; or suppose they want to organize a home guard. Now, the point with me is this: Can they organize those companies to take the place of the National Guard which is now organized and covered into the Federal service? Can they organize other National Guard and come to the General Government for the same supplies and things of that sort that they got before?

Gen. CROWDER. The appropriations in the Army appropriation act for the National Guard are not for particular regiments of the National Guard, and they would remain available for any substitute regiments that were organized.

Secretary BAKER. There is one other thought that ought to be added to that statement: The assistance which the States get with regard to their National Guard is not all in money; some of it is in equipment; some of it is in officers, inspector-instructors, and people of that sort. Now, it might be impossible for the War Department to supply to the States equipment, if its facilities for acquiring equipment were fully engaged in supplying these additional forces; and it might be impossible for us to get inspector-instructors to supply to your officers when they were needed to train the additional forces of the armies in the field, so that there might be difficulties about organizing such a guard; but there is certainly no spirit in the department which would put any obstacles in the way of your doing so which was not in the national interest.

Mr. GARRETT. What I had in view, and I am satisfied that you will quite agree with me, is that I take it it is true in all the States, as it is in mine, that there is considerable pride among the people concerning their National Guard or what they call their home guard, and they have various names which the people have given them that are pretty dear to those that have been in the guard.

Mr. GORDON. They have various uses for them in the States also.

Mr. GARRETT. Yes; and as we are entering upon this war and while we are all primarily and first interested in the General Government, yet at the same time, as the President has declared that this is a war to democratize the world, so to speak, and that that is our great mission, we must not forget those great democratic principles that live in the hearts of our people at home, and the thought which is lingering in my mind is that there be some provision so that the people may be organized into other companies for home use, if the other companies are on duty somewhere else.

Secretary BAKER. Some of the States, Judge Garrett, have constitutional provisions which require that to be done. New York, for instance, has a requirement in its constitution which requires that whenever its regularly organized guard is taken into the Federal service, there must be organized additional guard, so there will never be less than 10,000 in the National Guard of the State of New York at any time.

Mr. CALDWELL. Just in that connection, we know that practically all of the great bridges on our railroads are now guarded, and it is the National Guard which is doing most of that service, I believe, although I am not sure about that.

Secretary BAKER. You are quite right about that.

Mr. CALDWELL. All the men I have noticed have worn the National Guard insignia.

Secretary BAKER. You are quite right about that.

Mr. CALDWELL. Those National Guard men are going to be drafted into the Federal service under this call and are going to leave those posts.

Secretary BAKER. They are already in the Federal service.

Mr. CALDWELL. They are already in the Federal service, but when you get ready to train the officers—

Secretary BAKER (interposing). The draft will not affect their location.

Mr. CALDWELL. It will not affect their location temporarily, but when you begin to send them away—

Secretary BAKER (interposing). Obviously, if we send them away they will leave their present posts; but the Federal Government can be relied upon not to bring them together for mere purposes of drill, if they are needed for protection of property.

Mr. CALDWELL. The point I had in mind was this, Mr. Secretary, if you were to stimulate the enlistment of a new National Guard to take the place of the one that has gone away, that kind of work can be done by the new men and the other men can be used for more active duty.

Secretary BAKER. That would not be fair; that is to say, I have had the question presented to me a number of times quite recently, and I have reached a very definite state of mind about it. All the necessity for guarding bridges and tunnels and vital spots in the transportation system and in the manufacturing system, all of those instances grow out of the national emergency, and I do not think it fair to ask the State of Illinois or the State of Connecticut to call out its National Guard at its expense to guard things that are imperiled presumptively because of a national situation, so that I have

authorized the use of the National Guard or its retention or call into the Federal service at the Federal expense because the use to which it is being put is, in my judgment, a national use. Now, if you were to form in the States—and I can see many wise reasons for so doing—a National Guard for the protection of the domestic order of the State from purely domestic violence, things wholly unrelated to this national emergency, then I can see that the State would have use for troops of that kind.

Mr. GORDON. And ought to pay them?

Secretary BAKER. And ought to pay them.

Mr. TILSON. For instance, the question of guarding waterworks or watersheds for purely municipal purposes. I suppose the Government would not attempt to furnish troops at Government expense to guard all the watersheds and waterworks used for municipal purposes?

Secretary BAKER. The Government at present is guarding a number of waterworks, conduits, water plants, on the theory that our adversary in this war, having certain sympathizers in this country, may attempt by the act of individual miscreants to affect our domestic peace inside of our own country by acts of violence and aggression upon those things, but it grows out of our being at war as a Nation.

Mr. KAHN. Mr. Secretary, I have noticed in the papers that the various States of the Union are organizing State councils of defense and are appropriating large sums of money to look after the States' interests in this matter.

Secretary BAKER. That is being done in many States.

Mr. ANTHONY. Has there been any act of domestic violence in this country since the declaration of war?

Secretary BAKER. Not to my knowledge.

Mr. HARRISON. I would like to ask the Secretary this question: Is there any limit to the number of National Guard a State may organize?

Secretary BAKER. There is no limit to the number of National Guard that the State may organize, but there is a limit to the number of National Guard so organized which shall be recognized or supported in part by the Federal Government.

Mr. CALDWELL. What is that limit?

Mr. GORDON. That is limited by the expense.

Secretary BAKER. It is limited by the appropriation, in the first instance, and I think it is limited by departmental regulation in the second.

Mr. HARRISON. The reason I asked the question is because the States might organize companies now which could be drafted.

Mr. GORDON. There is no doubt about that, Mr. Harrison. The constitution of my State provides—

Mr. HARRISON (interposing). I would like to get this clearly. If a State goes ahead and organizes a National Guard now, will they be drafted into the military service of the United States?

Secretary BAKER. They would not by virtue of this act. This act would operate only to draft those who are so-called recognized National Guard, or those as to whom the relation has been established under the national defense act of National Guard, so called.

Mr. CALDWELL. But under section 111 the President can draft any other National Guard that is organized?

Secretary BAKER. Under section 111 the President can draft all the red-headed men in the country. The draft power of the President in the event of an emergency is limitless.

Mr. HARRISON. What I mean is this: Is there any law against a State now organizing National Guard, which, under this act when it becomes operative—of course, it is not operative now—but suppose National Guards are now authorized and this law goes into operation, will it draft those companies into the national service?

Secretary BAKER. There is no law which would prevent the President from doing it, but the operation of this law would not be to automatically so draft them.

Mr. HARRISON. I do not see any limitation here, and that is the reason I am asking the question.

Secretary BAKER. The reason, I think, Judge Harrison, is this: The national-defense act uses the term "National Guard" to describe a very definite body of men, who sustain a very definite relation to the Federal Government. The States have hitherto had organized and unorganized militia. Now there is no limitation upon the ability of a State or the power of a State to organize its unorganized militia to as large a military force as it desires, but such organized militia does not become National Guard under the terms of the national-defense act until the things have been done which are provided in the so-called Hay bill for that purpose. Now, if National Guard is organized, that means National Guard recognized by the department.

Mr. HARRISON. I understand that; and what I was trying to get at is this: Is there any provision by which companies now organized can not be made National Guard before this law goes into operation?

Secretary BAKER. The only limitation is the department regulation which has assigned to each State a certain number.

Mr. CALDWELL. Under what section of the law did the department have the right to make that kind of a regulation?

Secretary BAKER. Gen. Crowder can tell you that.

Mr. CALDWELL. I would be obliged to him if he would.

The CHAIRMAN. Suppose the Secretary answers Judge Harrison's question first.

Secretary BAKER. What we have attempted to do in the department is to make an army of the National Guard——

Mr. HARRISON. I understand that.

Secretary BAKER (continuing). By authorizing the creation of so many regiments of Infantry, so many of Field Artillery, and so on. Now, that table of organization is a thing which the department drew up under powers which are derived from your legislation, and the Judge Advocate General will tell you where they are to be found; but we have attempted to apportion among the States the burden of raising troops in the several arms in such numbers as will, when they are all raised, constitute a fully balanced army of the National Guard.

Mr. HARRISON. Has that been done so far as Virginia is concerned?

Secretary BAKER. Undoubtedly the assignment to the State of Virginia has been made; that is to say, Virginia has been told what

is expected of her in making up her complement to this National Guard. Whether all of those regiments have been ordered or not, I do not know.

Mr. SHALLENBERGER. I understood you to say in answer to Judge Harrison that the President, under section 111, could draft all the red-headed men in the country. You do not mean to imply that he has universal power of draft under that section?

Secretary BAKER. I do not mean the President has that power. I mean the power of the Federal Government in the matter of drafting persons into its military service is without limit, so far as I know.

Mr. SHALLENBERGER. But an act of Congress would be required in order to do that?

Secretary BAKER. Certainly.

Mr. CALDWELL. What I meant when I asked the question that brought out that answer was that under section 111 of the national defense act any other National Guard organization which is organized or created pursuant to that act may be drafted by the President at any time by proclamation, without any further act of Congress.

Secretary BAKER. If it is a part of the National Guard, I think that is so.

Mr. CALDWELL. Now, I would like to have Gen. Crowder tell me what section of the law permits the department to say how many National Guardsmen there shall be in a State.

Gen. CROWDER. You refer, Mr. Caldwell, to a regulation which I have heard of here for the first time, which I have not seen, limiting the number of National Guardsmen that can be raised in a State?

Mr. CALDWELL. Yes.

Gen. CROWDER. There is no provision of the national defense act which gives the Government that authority in express terms. It derives its authority and the regulation derives its sanction from the fact that you have made limited appropriations, which the War Department must allot to the National Guard of the several States. It has, as I apprehend, deferred to the limit of appropriation and placed a limit upon the numbers to be maintained in the States in order to effect an equitable apportionment of the appropriations of Congress throughout the States. That is the sanction which the regulation has, and I think that is the only sanction.

Mr. CALDWELL. I call your attention particularly to section 67, which provides for the apportionment of the appropriation made by Congress, and the language of that section is specific. I will not read it now, but I would like for you to look it over again in connection with this regulation of the department. The language of that section is specific, that the apportionment shall be made out of the money appropriated for that time and for the number of people who are then already in the organization; in other words, we appropriate to-day for 1918, and when you make your apportionment you are limited to apportioning the money among the men who are in the service at the time the pay-out is made. You are not authorized, as I read this section, nor was there any intention in my mind at the time the section was written, of giving the department a right

to say that there should be any limit on the number of men which should be raised.

Mr. WISE. It is apportioned to the States in accordance with the number of National Guard that are actually in the service.

Mr. CALDWELL. It must be apportioned in accordance with the number of National Guard in the service, and must be apportioned according to the number there are then in the various States, and it is for the State to say; and you have no authority to say, for instance, to the State of New York, "You can not raise any more; you can not make up another company or raise another battalion."

Secretary BAKER. But we have a perfect right to say, as Gen. Crowder has just told us, that the funds appropriated for the present year have been apportioned, and therefore we can not allow them to raise additional regiments and cut into somebody else's apportionment.

Mr. CALDWELL. No; you can not say that under the law, as I understand it; but you can say that there has been apportioned to the State of New York so much money, and that that is all we can pay the State of New York, and if they have more men than that they must come in without Federal pay.

Secretary BAKER. I never supposed that the national defense act was as feeble as that. Now, just see what that would mean. It would mean that if the State of New York preferred to organize its entire unorganized militia into National Guard, and \$11,000,000 was appropriated or apportioned for the State of New York under those circumstances, we would probably be able to spend about 10 cents apiece in training the citizens of New York and not get an army, either.

Mr. CALDWELL. But we would not get them all in one year, and the next year we would appropriate enough to do that. We have a deficiency committee to take care of such deficiencies and pay them.

Mr. GREENE. May I not suggest that the spirit of that section and correlated sections apparently gives authority to the War Department to take care of only such National Guard units in any State as it has recognized as complying with its own regulations, and that fact, together with the appropriations being limited, would practically make an elastic line after the status of those organizations and their relations to the Federal Government had been established.

The CHAIRMAN. I think there is a more specific provision than that. Does not section 60 give the Secretary absolute power to control the number of the National Guard?

Secretary BAKER. I hope you can find that.

The CHAIRMAN. The provision reads as follows:

Except as otherwise specifically provided herein, the organization of the National Guard, including the composition of all units thereof, shall be the same as that which is or may hereafter be prescribed for the Regular Army, subject in time of peace to such general exceptions as may be authorized by the Secretary of War.

Mr. GORDON. A pretty broad statement was made a moment ago with reference to the power of the States to put all of their men of military age into the State militia. Of course, the State of Ohio, for instance, enrolls every male white citizen between the ages of 18 and 45 in the State militia, and provides that he shall perform such military service as may be required by law. That is pretty broad, and I apprehend other States have the same provision. I expect the con-

stitution of the State of Virginia and of many other States have that same provision. You do not understand that there is any question about the right of a State to do that, do you?

Secretary BAKER. Absolutely none at all.

Mr. GORDON. As I understand it, the National Guard is composed only of those persons who have been organized in such relation to the Federal Government as is provided by law and have complied with its regulations.

Secretary BAKER. The National Guard is the fruit of the cooperation of Federal and State authority, while the organized militia of the State is the fruit of the action of the State legislature.

Mr. KAHN. Probably every State in the Union through its legislature has passed some law limiting the number of the National Guard and of militia organizations in the State, and they appropriate at each session of the legislature for such National Guard as the State may have.

Secretary BAKER. Yes.

Mr. NICHOLLS. As I understand it, the thing Judge Harrison is trying to get at is this, that if you limit the number of National Guard units throughout the country, unless some other bill is passed, when these National Guard troops are brought into the Federal service, while the State could organize another force if it wanted to, yet this draft would apply to those other men. The National Government will not recognize them until some other provision is made. In other words, the State of South Carolina might organize additional forces and call them what they pleased; they might call them National Guard or anything else, but if the Federal Government drafted those men they would have them in the Federal Army, notwithstanding the fact that they are members of those new units.

Secretary BAKER. That is true.

Mr. SHALLENBERGER. There is one other very important point, and I think Gen. Crowder himself is somewhat in doubt about it. At any rate, can you say whether or not it is a fact under this law that the National Guard of, say, the State of Nebraska or the State of New York, so far as the National Government is concerned, is limited only by the amount of the appropriation? In other words, if the State of New York saw fit to organize all of the young men of military age in that State under their laws, could they maintain that National Guard without any limitation whatever except the amount of the appropriation?

Secretary BAKER. There could be no doubt whatever about that.

Mr. ANTHONY. Is it not true, however, that you have ordered that certain States shall not recruit the National Guard beyond certain limits?

Secretary BAKER. I have advised against that being done.

Mr. ANTHONY. For instance, in my State they wanted to recruit an additional regiment of Infantry, and the department refused to give them permission to do so.

Secretary BAKER. Yes.

The CHAIRMAN. We will pass on to the third section of the bill. That is the section which provides for the additional force of 500,000 men, and I think we went into that pretty fully at our last hearing on Saturday.

Mr. SHALLENBERGER. I would like to ask a question about that.

Secretary Baker. The Judge Advocate General would like to make a statement about a case before the Supreme Court of the United States that would affect some answer I have given.

Gen. CROWDER. I understood Mr. Gordon to inquire about the power of the State to raise additional forces not of the National Guard. Section 61 of the national-defense act steps in with its prohibition and forbids the organization of troops except as therein provided. The provision reads:

No State shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed under this act.

That section is relied upon as prohibiting the States from organizing their Organized Militia into any other force except the National Guard. Now, if that be true, then there is this limit upon the power of the State to organize troops in addition to the National Guard, and we had the question before us when we were considering whether the existing circulars issued by the War Department limiting the number of the National Guard that would be recognized in each State was justified. I will say again that, so far as I have examined this law in connection with the regulations issued by the department under that section, they are limited only by the amount of the appropriation made for the support of the National Guard. It is the duty of the War Department to disburse equitably among the States the fund to be expended for the support of the National Guard.

The CHAIRMAN. Your opinion is that the only limitation is the amount of the appropriation.

Gen. CROWDER. The only limitation is the amount of the appropriation, and I have just read a section which seems to give the State the right to raise new regiments of the National Guard at once if they want to.

Mr. CALDWELL. They could double the number.

Gen. CROWDER. Yes.

Mr. CALDWELL. Because the law fixes the minimum and not the maximum?

Gen. CROWDER. Yes.

Mr. CALDWELL. General, when you appeared before a subcommittee you gave us an opinion concerning the construction of the word "troops" in that section 61.

Gen. CROWDER. I will say in regard to that that the question was until recently pending before the Supreme Court of the United States which came up on certiorari from the court of appeals at Boston. That writ has recently been dismissed upon the ground that the question raised has become a moot because of the action of the War Department in not calling out the Organized Militia in its last call. We have practically abandoned jurisdiction over all organized militiamen who did not take the Federal oath at the time the National Guard was called out. A consent decree was entered in the lower court releasing those men from the custody of the Federal authorities, and the case was allowed to be dismissed because it was thought that the Supreme Court would not go into the question of the proper construction of section 61, which undertook to forbid the States from maintaining any other troops than the troops organized as prescribed in this act. If the construction should follow the letter of

the statute, then nothing but National Guard troops could be raised in the State, except constabulary and police forces, but there is a grave question whether, construed in this sense, it would be constitutional. Where does Congress derive its authority to forbid the States from maintaining Organized Militia? Is not that just what Congress has done, however, in section 61 of this act, if the strict letter of the statute is observed?

Mr. GORDON. The Constitution provides that no State shall, without the consent of Congress, keep troops or ships of war in time of peace, but that does not have any relation to the State Militia. So far as the State Militia is concerned, they are entirely independent of any Federal relations whatsoever. They receive nothing from the Federal Government, and we have distinguished the Organized State Militia from the National Guard.

Gen. CROWDER. That question was involved in the Emerson case in which it was contended that members of the Organized Militia refusing to take the Federal oath prescribed were not "troops" in the sense of section 60 of the national defense act.

Mr. McKENZIE. Is it not a fact that when the national defense act was being framed that one of the several purposes of that section 60 was to head off any other military organization in a State except the National Guard organization and thereby build up a National Guard?

Gen. CROWDER. I think that was the clear intent.

Mr. McKENZIE. That was the intent.

Mr. CALDWELL. I have a hazy recollection of an opinion that you gave us when we had a hearing on the Articles of War, in which you stated that the word "troops" had been construed by the United States Supreme Court to mean the Regular Establishment men, and that it did not mean the militiamen.

Gen. CROWDER. That was the construction of the Supreme Court of the State of Illinois and the Court of Claims, but never by a Federal court other than the Court of Claims. The Court of Claims held that in the sense of the land-grant law the Organized Militia were not troops, and the Supreme Court of Illinois held that the Organized Militia were not troops within the provisions of the Constitution of the United States which forbid States to keep troops without the consent of Congress.

Mr. CALDWELL. At that time you stated that there had been some discussion in the Senate on that subject?

Gen. CROWDER. Yes. There was a long discussion at the time the Dick bill was pending, participated in by Senator Spooner, of Wisconsin, and Senator Bacon, of Georgia, they taking opposite sides on that question.

Mr. CALDWELL. What is your personal opinion about it?

Gen. CROWDER. My personal opinion is that as the word "troops" is used in section 61 it does not describe the Organized Militia, and that it does not convey any prohibition to the States against maintaining Organized Militia.

Mr. SHALLENBERGER. Referring to the third section of this bill, which, as the chairman said, was discussed the other day, you have referred several times, and I think it is a very essential point, to the manner of the selection of those men. As I remember it, you

stated that it was contemplated that something like 48 per cent, at least, or a large proportion of them would be exempted for one reason or another. Now, in the application of that exemption there would have to be a tribunal to determine the questions that will arise in the administration of the law. Has the department determined whether this tribunal shall be a civil tribunal or a military tribunal?

Secretary BAKER. That has not yet been determined.

Mr. SHALLENBERGER. You understand, of course, that some nations—Germany, for instance—has a military tribunal, while England has a civil tribunal to administer the law. Furthermore, you know, no doubt, that in Argentine, and, perhaps, in some other countries, there has been a great deal of dissatisfaction about the fairness of the administration of the law in making the selections. The matter presents difficulties that will make for a great deal of dissatisfaction, and I did not know whether or not you had determined that vital point.

Secretary BAKER. I have heard of the criticism of the Argentine administration of the law. This bill places at the disposal of the department or the Government all the administrative and executive agencies of every State, including, doubtless, the smallest administrative units in the State. Undoubtedly some system will have to be devised for a fair and public determination of those matters.

Mr. SHALLENBERGER. But that has not yet been determined by the department?

Secretary BAKER. No.

Mr. SHALLENBERGER. I think we will be asked about that on the floor and that the matter will be very fully discussed. If the department has determined upon its policy—

Secretary BAKER (interposing). We have determined our policy, but not how it will be administered. Those details have not been worked out yet.

Mr. MORIN. How many men will be eligible for military service under the provisions of this bill?

Secretary BAKER. It is estimated that those to whom the draft would apply would number about 6,000,000.

Mr. CALDWELL. In a draft we would take one in fourteen—

Secretary BAKER (interposing). Of course 6,000,000 is the total estimated number, and the exemptions are not taken out of it. On the theory that they will be 42 per cent instead of 48 per cent, there would be left about 3,500,000 men available, out of which number 500,000 would be chosen.

Mr. NICHOLLS. How would you decide that?

Secretary BAKER. By lots, and my notion about it would be to let the total number of eligibles draw lots. They would draw lots one, two, three, four, five, six, etc., and when we went to train in the second increment of 500,000 men which are contemplated by the bill, we would not have to do all of that work over again, but we would simply call for those who drew the second lot instead of the first.

Mr. KAHN. Do I understand that you would take them out of the 6,000,000 men and then weed out those who would be ineligible?

Secretary BAKER. Yes.

Mr. CALDWELL. Have you any idea of permitting anyone drawn by lot to arrange with some man who wants to go to take his place?

Secretary BAKER. No, sir; there will be no substitutes.

Mr. NICHOLLS. I think I asked you about this on yesterday, but I want to make it clear, because I feel very strongly about it. I do not want you to misunderstand me, because I am willing and ready to do whatever ought to be done to defend the country. It is just a question of a difference in the method by which it shall be done. Could the administration agree, or would it object to giving these men, say, even 30 days in which to volunteer, and then, if they did not volunteer, use this draft method?

Secretary BAKER. I do not see that you would accomplish anything by that. That suggestion was made by Judge Garrett on Saturday, I think. Of course, it is an academic thing to come to me and say, "You had better enlist within the next 30 days or I will take you anyhow."

Mr. NICHOLLS. I think this about it: That you will find a good deal of pride involved in the matter. He would not say, "I enlisted because I had to go within 30 days." I think good men would enlist if there was no limit to it, and then, after the limit expired, those who did not want to enlist could be forced to do so.

Secretary BAKER. Then, you would be organizing the Army of those who wanted to go, while those who did not want to go—

Mr. NICHOLLS (interposing). Those who wanted to go would make the best soldiers.

Secretary BAKER. I am not sure that lust for battle is necessarily a valuable asset for a soldier. Willingness to do his duty is enough.

Mr. CALDWELL. In civil life when you get a man working at a job he loves his work is always better.

Secretary BAKER. I am not so sure that that is so in this case. The man who loves the cause for which the work is done is the man you want to get.

Mr. ANTHONY. Mr. Secretary, is it not true that in the Civil War, in almost every instance, where drafted regiments were sent to the front that when they first went into battle they either laid down or ran away?

Secretary BAKER. I am glad I do not know that is so, if that is true.

Mr. ANTHONY. One of the highest ranking generals on the Union side told me that was his personal experience.

Secretary BAKER. Even if that were so, Mr. Anthony, it might very well be one argument against the volunteer system, because you would have combed the country of all those brave-spirited men and killed them all off.

Mr. ANTHONY. If you could get this army of 500,000 men in 30 days through volunteers who were willing and anxious to fight, had you not rather have them than wait possibly six months to get them by the selective process?

Secretary BAKER. No; I would rather take this method, because it seems to me this system is adapted to a continuing supply as far as the emergency goes. I think that this means that the size of the Government's task is already contemplated by this bill.

Mr. ANTHONY. Do you think there would not be a sufficient number of volunteers to fill your demands?

Secretary BAKER. I have no means of knowing that, Mr. Anthony.

Mr. KAHN. Mr. Secretary, have you any reports in your department to show that the men who are conscripted in England to-day are

inferior in the performance of their duty to the men who volunteered originally?

Secretary BAKER. I have no reports to that effect, but I do have reports which show that the early losses in the first volunteers of England were irreparable to England's military establishment.

Mr. CALDWELL. They went away without training, did they not?

Secretary BAKER. I do not think so.

Mr. GORDON. I call your attention to the fact that the first losses were at the battle of the Marne and were among the regulars, and there never was a finer exhibition of bravery in this war or any other war than those men gave, and some of the regiments lost 75 per cent of their men.

Secretary BAKER. Exactly. I am referring to the loss of those men as an irreparable loss to England.

Mr. ANTHONY. But you do not mean to say a Volunteer Army would be any harder to train in this country than an army of conscripts?

Secretary BAKER. Clearly not.

Mr. ANTHONY. One would be as easily trained as the other?

Secretary BAKER. Yes.

Mr. GREENE. May I interpose with this thought? The Volunteers would not only be fighting for their country, but also for the men who would not fight for their country.

Mr. ANTHONY. Not necessarily, Mr. Greene.

Mr. GREENE. In the first instance; yes.

Mr. ANTHONY. Not at all. You are assuming that there are a lot of men in this country who do not want to fight for their country, and I think you are entirely wrong in any such assumption.

Mr. GREENE. I am simply assuming that if we depend on the men who show the first willingness to fight to win the war, because the earliest movement in the war is likely to pressage the greatest success, then those men are really in effect, whatever the sentiment may be, fighting for the men who will not come out first and fight.

Mr. HARRISON. Mr. Secretary, I would like to ask you this question: There has been some complaint made to me about the age limit being 19 as being too young. Is there any reason why it could not be raised, say, one year?

Secretary BAKER. There is no reason, Judge Harrison. I originally had it 18 and raised it to 19, and I think if you leave it as it is—on the doctrine of chances—about 60,000 out of the first 500,000 will be men of 19 at the time they begin their training. They will be substantially 20 by the time they finish their training.

Mr. HARRISON. I understand that. Suppose you raise it to 20, then they would be 21 and of full age when they actually had to do the fighting. Would there be any real objection to raising the age to \$20?

Secretary BAKER. The only objection to it is that you decrease their military usefulness by one year, and, taking the age of men who have made our armies always, you will find that 19 is a very common age.

Mr. TILSON. Mr. Secretary, if you establish universal training beginning with 19 along with this system, now that you have the opportunity to do it—

Mr. GORDON (interposing). While the iron is hot.

Mr. TILSON. Yes; while the iron is hot and while the opportunity is good. If you established a system of universal training and began to train these 19-year-old men, would they not be ready when their term came and be available for service for a long number of years within the age limit?

Secretary BAKER. I am deeply wedded, Mr. Tilson, to trying to avoid in this bill the question of a permanent policy, so we can meet this emergency only.

Mr. TILSON. Do you not think that a permanent policy can be better established in time of war than would be possible at any other time? Of course, most things can be done better in time of peace; but is it not true that a military policy can be established better in time of war?

Secretary BAKER. I would like to state for the benefit of the committee—

Mr. GORDON. You want to scare people into it.

Mr. TILSON. Not at all.

Secretary BAKER. My feeling about it is as was very happily expressed by the President, that we do not know what the military policy of any civilized country may be required to be when this war is over, and I am therefore very anxious not to take advantage of the present emergency to adopt a permanent policy which might then be either unpopular or undesired or unnecessary. But I think if the situation of the world at the end of this war is such that Congress, in its wisdom, deems that a system of universal training is necessary or wise, we would have made then at least a beginning which would not leave us to start that system absolutely new and without the means of perfecting it.

Mr. KAHN. The average age of the boys who fought in the Civil War was about 19 years, was it not?

Secretary BAKER. I am sorry to say I do not know, Mr. Kahn. I have known so many men who fought in the Civil War on both sides who were 15 or 16 that 19 seems rather a mature age.

Mr. KAHN. Gen. Sherwood, who fought in the Civil War, stated on the floor of the House on Friday that the average age was about 19; that there were a great many of the men who fought in that war who were under 18; and therefore is not the suggestion of Mr. Harrison, that we ought not to take them until they are 20, unnecessary in view of the fact that the fighting of the whole world has been done by men generally who are between 18 and 20 years of age?

Mr. HARRISON. That was not a suggestion on my part. I just wanted to know the reason for fixing that age.

Secretary BAKER. Mr. Harrison, you have this additional safeguard: Of course, every man who is admitted has to undergo a physical examination and immature men would not be taken.

Mr. HARRISON. I want to correct the idea that that was a suggestion on my part. I simply wanted to get the Secretary's idea about it.

Secretary BAKER. I so understood it.

Mr. HARRISON. Because I have received a number of letters complaining about it.

Secretary BAKER. I understood, Judge Harrison, the purpose of your inquiry.

Mr. CALDWELL. Mr. Secretary, on page 3 of the act under consideration you say:

By combining authorizations of said forces, (1) by ordering members of the Officers' Reserve Corps to temporary duty in accordance with the provisions of section 38 of the national-defense act, approved June 3, 1916; by appointment from (2) the Regular Army, (3) the Officers' Reserve Corps, (4) from those duly qualified and registered pursuant to section 23 of the act of Congress approved January 21, 1903—

Secretary BAKER. That is the Dick Act.

Mr. CALDWELL (continuing)—

(5) from the members of the National Guard drafted into the service of the United States.

Now, you are going to put officers who have been held on a list under the Dick Act ahead of officers who are in the National Guard and who have just recently had about six months' training on the border?

Secretary BAKER. I do not understand that enumeration to give priority. It is merely to designate the sources. We are going to endeavor to get the men of the largest military experience and ability and of the best preservation.

Mr. TILSON. From all of those sources?

Secretary BAKER. From all those sources.

Mr. CALDWELL. Do you not think there ought to be a provision stating that it is not intended that this enumeration shall establish any priorities?

Secretary BAKER. I would not like to have anything added to that which made inelastic the power.

Mr. CALDWELL. When you enumerate them—first, second, third, etc.—that gives to the country the notion that it is intended to establish priority. If we do not enumerate them, and simply strike out the words first, second, third, fourth, etc., then you can take them as in your judgment they are best qualified to go.

Secretary BAKER. Gen. Crowder, have you any special purpose about that?

Gen. CROWDER. There is no reason why those enumerations should not be omitted. But, for the purpose of explaining the matter, I would say that my recollection is that there are not 50 persons registered under section 23 of the Dick bill.

Mr. ANTHONY. On the other hand, you are putting officers of the National Guard and members of the National Guard way down in classes from 5 to 9 and the Officers' Reserve Corps up at the top when we know that the greater percentage of the men of the Officers' Reserve Corps are men of very much less experience than many of the members of the National Guard.

Gen. CROWDER. Yet you wrote that priority for them in the national-defense act.

Mr. ANTHONY. The Officers' Reserve Corps?

Gen. CROWDER. Yes.

Mr. ANTHONY. Perhaps after the Officers' Reserve Corps is full of seasoned men it would be different, but now they are very immature.

Secretary BAKER. I think what you will find, Mr. Anthony, is that the Officers' Reserve Corps in the mobile army branches is

made up of men who have graduated from National Guard regiments.

Mr. ANTHONY. Still, as has been stated in publications sent out by the department, you are taking a great many of them and asking for them without any military experience.

Gen. CROWDER. That is true only of the staff departments, I think.

Mr. ANTHONY. And also among the lower officers of the line; and I would hate to see those men put ahead of officers of the National Guard.

Mr. GREENE. Would it not be probable that the National Guard would require the greater part of its personnel for the existing units?

Secretary BAKER. Yes; they are drafted in with their units.

Mr. KAHN. You are charged with putting this law into effect, if it is passed, and you will have the full say then as to how it shall go into effect, and will prepare and promulgate the regulations.

Secretary BAKER. I so understood it. I did not understand there was any priority established by that language at all.

Mr. ANTHONY. Then there would be no objection to striking out the numerals?

Secretary BAKER. No.

Mr. TILSON. I think it would be well to strike that out unless you state in the bill that the enumeration is not intended to give any priority.

Secretary BAKER. I have no objection to the numerals coming out.

Mr. NICHOLLS. When you get ready to select these officers from the various classes, can you give me any idea of what sort of examination will be held? I do not mean for you to go into details, because I realize, of course, that you can not do that now; but would you hold a mental examination or would you simply investigate a man's military record and his physical condition?

Secretary BAKER. Of course, every man's physical condition will have to be investigated. There are a large number of persons in the country of known military experience. Their records are records in the War Department, and I should not feel that those persons required any examination.

Mr. NICHOLLS. In other words, suppose a man has been an officer in the National Guard, a company commander, for five years, and had resigned from the National Guard four or five years ago, and came up and asked for a commission as captain in one of the forces to be created? Would it be necessary, if his record was good in the National Guard, having been an officer there for five years, for him to take a mental examination, or would you investigate his record as an officer in the National Guard and also his physical condition?

Secretary BAKER. It would depend very largely upon the time at our disposal. If we had the time I would like to have a mental examination.

Mr. NICHOLLS. It simply occurred to me you would not have time to hold such examinations.

Secretary BAKER. I do not know about that.

Mr. CALDWELL. You have here a provision that in the event a man does not make good he can be discharged.

Secretary BAKER. But I would like to prevent such a possibility, if I could.

Mr. CALDWELL. A great many ex-officers in the National Guard are writing me, wanting to get commissions, and I was simply asking you the question so I would know how to answer them.

Secretary BAKER. The only answer I can give is that I am going to use in advance every means I have of finding out the likelihood of their succeeding. If I am pressed for time I may let some of them in upon less examination than would otherwise be desirable, but I want as few failures as possible.

Mr. ANTHONY. In that connection, are you holding up to the old rigid standard and requirements of examination that are demanded of applicants for commissions as second lieutenants in the Regular Army?

Secretary BAKER. There has been no abatement that I know of. There may be some slight change in the character of the examination; that is to say, in the purely technical branches.

Mr. ANTHONY. I have had complaints from men who have been out of college a few years who would like to get commissions, saying that it is impossible to pass those examinations without brushing up for four or five or six months, and it struck me that in cases like that the regulations should be loosened up—

Secretary BAKER (interposing). Those examinations have been largely drawn by the officers in the service school at Leavenworth. I think they have all been drawn up out there. The first examination out there was rather generally complained of as being too technical and requiring a little too much formal learning, and while we were perfectly willing to have the character of the examination changed so as to be more adapted to the service which these men would perform, I was not anxious to have them in any sense slipshod, and therefore the only change which has been made with my consent has been to make them somewhat less technical.

Mr. KAHN. There was also complaint that the men could not purchase the necessary manuals so as to study up for the examinations.

Secretary BAKER. That is perfectly true. The Adjutant General told me yesterday that he had talked with one of the Senators—I think Senator Wadsworth of New York—and Senator Wadsworth said that if that was the trouble they would give us more money in the annual appropriation for procuring manuals. Gen. McCain told me he thought he could spend \$300,000 in the printing of manuals and having them on hand so everybody could get them.

Mr. TILSON. Mr. Secretary, have you taken any steps to secure the necessary blanks for use in the Army at this time?

Secretary BAKER. Of course, Mr. Tilson, the Public Printer is prohibited by law from printing anything for us until we get the money.

Mr. TILSON. In the mobilization on the border last year it was a positive crime. You could not get the necessary blanks for the most common work in the Army and oftentimes we could not get the blanks at all, and on some occasions the officers went into their pockets and went to a local printing establishment and had them printed at their own expense.

Secretary BAKER. I am sure that is true.

Mr. TILSON. I know it is true, because I went down into my own pocket and paid for pay rolls so we could get up the pay rolls to pay the men.

Gen. SCOTT. The blanks that were required for the muster in were sent to the adjutants general of the various States.

Mr. TILSON. We could not get the survey blanks for making surveys of damaged property and many other blanks.

Gen. SCOTT. They were sent to the adjutants general of the various States at the time the necessity arose for a muster in, at the time of the Vera Cruz situation, and then the Government had no blanks and called for them in May of last year, but the Public Printer evidently had no money for it, and when we got the money we could not get them from the Public Printer. If we had a proviso that would permit us, when necessity arose, to purchase those blanks for whatever we could, there would be no such trouble.

Mr. TILSON. Was there not such a provision in the last bill?

Secretary BAKER. I do not know whether it was in the last bill or not, but it is one of the things that will be brought up in the conference.

Gen. SCOTT. Nearly a carload of blanks were required, for instance, in the western department.

Mr. TILSON. I only mention that because I do not want to see us get tangled up in a lot of red tape so we can not extricate ourselves.

Mr. CALDWELL. Mr. Secretary, I would like to ask a question in connection with the fourth paragraph. The fourth paragraph will provide for a second 500,000, and that will make approximately 1,500,000 men.

Secretary BAKER. A little over that.

Mr. CALDWELL. Do you not think, Mr. Secretary, we ought to provide for the emergency on the basis that it will last longer than a few months or several months? Why should not that be broad enough, if we are going to adopt this plan—and I do not say the committee will—that the President might be authorized to call for additional units of 500,000 at such times as he might determine during the length of the war?

Secretary BAKER. I would prefer to have it so.

Mr. CALDWELL. As I suggest?

Secretary BAKER. Yes.

Mr. GORDON. Without any limit at all?

Mr. CALDWELL. Every time he wants 500,000 men.

Mr. GORDON. That would give him blanket authority?

Mr. CALDWELL. Yes; if he needs them.

Mr. SHALLENBERGER. Mr. Secretary, why is the word "emergency" used throughout this bill and not the word "war"? Is there any objection to saying "during the term of the war"?

Secretary BAKER. Yes; there is this objection to it, Mr. Shallenberger; the war might be terminated and the emergency still drag along just a little bit; that is to say, a cessation of hostilities might take place and some pourparlours, looking to peace and all that kind of thing, might drag along.

Mr. SHALLENBERGER. That would not be a termination of the war. I think the war is a specific thing and an emergency is an indefinite thing. A war is a declaration of war, and then when peace comes—

Mr. GORDON (interposing). A treaty of peace would be necessary to terminate the war.

Mr. SHALLENBERGER. Have we not always used the word "war" before, and have not men enlisted in previous wars for the length of the war?

Mr. CALDWELL. In all wars except the Mexican trouble, when we did not want to use the word "war."

Gen. CROWDER. The enlistment periods have usually been for two years or during a war, and that phrase "during the war" has been construed as a limitation upon the two years, and a man would be entitled to his discharge at the end of two years in any event. If the war terminated sooner, it would be shorter.

Mr. SHALLENBERGER. What is an emergency?

Mr. NICHOLS. Suppose this emergency—

Mr. KAHN (interposing). Let us give the Judge Advocate General an opportunity to complete his answer.

Gen. CROWDER. I say, that the enlistments for the Spanish-American War were for two years or during the war, and that was construed in this sense: A man was entitled to his discharge at the end of two years irrespective of whether the war had terminated or not; but if the war terminated before two years, he was entitled to his discharge. In other words, the phrase "during the war" operated as a limitation upon the prescribed period and did not extend it.

Mr. SHALLENBERGER. The reason I ask the question is because I think it is a vital thing. Men are willing to enlist for the war, but if they enlisted for an indefinite period it would be an entirely different thing.

Secretary BAKER. I realize that, but let me give you the thought I had in my mind about it. This is the whole Military Establishment of the United States. I think Congress might very well say that the war being over the emergency has passed as to one-half of these men and will pass in two months as to another one-fourth of them, and in that way taper down the Military Establishment, if you determine that you want to retain some of them instead of having every soldier of the United States discharged by the treaty of peace.

Mr. CALDWELL. It might very well happen that after we get into this war there might be certain differences arising between those who might have been allied with us. After peace has been declared between the United States and Germany there might be an emergency still existing growing out of this present condition that would make it necessary for a few of our men to come under arms and be ready to take care of our interests in the event we had trouble with anybody else.

Secretary BAKER. Certain duties might be imposed upon the various participants in this struggle. For instance, after the Franco-Prussian War, there was kept in France quite a large force for a certain length of time until additional portions of the indemnity laid on her were paid. There may be certain places that we will have to fortify or certain prisoners that we will have to keep and duties of that kind flowing out of this situation.

Mr. SHALLENBERGER. You are going to change the term of enlistment in both the National Guard and the Regular Army from a fixed period to the period of the emergency. You do that with the

idea that many good men would want to serve for the war, but not for a fixed period. Now, have you not substantially done the same thing here when you say that a man is in the Army for the period of the emergency, with somebody in authority who has the right to say what the emergency is and when it is terminated?

Secretary BAKER. I think that is true.

Mr. NICHOLLS. In this case he is enlisted for the emergency.

Mr. SHALLENBERGER. It depends on the length of the emergency.

Secretary BAKER. That is for the determination of Congress or the President.

Mr. SHALLENBERGER. A man could be retained in the service indefinitely if they did not see fit to release him.

Secretary BAKER. I think he could stay in all his life if Congress or the President so determined.

Mr. GARRETT. Would you object, Mr. Secretary, to adding words at the proper place defining the emergency or providing for service during the emergency to be determined by the Congress and the President of the United States?

Secretary BAKER. I do not know whether there is any provision in here for the determination of the emergency or not.

Gen. CROWDER. I think if the law is left as it is that the executive arm of the Government can decree the termination of the emergency. As the law stands, the executive branch of the Government can determine what is the termination of the emergency.

Mr. SHALLENBERGER. Is it not a fact that you show by this provision that you are not satisfied to take a man for the period of the emergency or for the war, but that you want to hold him as long as you want him. The impression has gone out to the public that the man who enlisted would enlist for the war, whereas they would be enlisting for all their lives if you saw fit.

Mr. GREENE. I would like to refresh Gen. Crowder's memory by suggesting that while the term of enlistment for the War with Spain was two years, as soon as the peace protocol was signed they began to disband the Army, reserving only such part of it as it seemed might possibly be used for other purposes.

Gen. CROWDER. They were all entitled to discharge upon the peace treaty being ratified.

Mr. GREENE. That was the peace protocol.

Gen. CROWDER. Of course, no man can discharge himself, and the executive arm of the Government must terminate his engagement to render military service.

Mr. GREENE. They showed no disposition to retain these men in the service after the emergency was over, although they were still legally bound.

Secretary BAKER. One of the difficulties is this: It might possibly happen that somebody will say that we are beginning the process of conscription and adding to that an indefinite term or period of service which would enable us to keep them indefinitely, even after the actual emergency was over. But, on the other hand, I think that would imply bad faith on the part of the Executive, which nobody ought to be permitted to assume, but even if anybody did assume it, **argumento**, the final control of Congress in the matter would be absolute, so that if the Executive did not deal with the emergency in a

fair way, the Congress could immediately order the disbanding of the Army.

Mr. SHALLENBERGER. I had in mind particularly the thing that has just been developed. In some places men have been clear out in the street ready to enlist for the war, but when they found they had to enlist for a certain number of years in the Regular Army they did not enlist. If the term of enlistment were changed for the war, there would be no difficulty about getting men in this Army. As a matter of fact, they will be indefinitely bound, as Congress or the President may determine. In other words, we have not fixed the thing clearly in the man's mind yet. When he says, "I enlist for the war," he knows what has been the practice in the past, but when he says "I enlist for an indefinite emergency," he does not know what he is enlisting for.

Thereupon, at 1.30 o'clock p. m., the committee adjourned until to-morrow, Tuesday, April 10, 1917, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., April 10, 1917.

The committee met in executive and confidential session at 10 o'clock a. m., Hon. S. Hubert Dent, jr. (chairman), presiding.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR, ACCOMPANIED BY MAJ. GEN. HUGH L. SCOTT, CHIEF GENERAL STAFF; BRIG. GEN. ENOCH H. CROWDER, JUDGE ADVOCATE GENERAL; MAJ. DENNIS E. NOLAN AND MAJ. P. E. PIERCE, GENERAL STAFF CORPS—Resumed.

The CHAIRMAN. Mr. Secretary, when we adjourned yesterday it was understood that the members of the committee would read the bill and be prepared to ask you any additional questions without reading the bill section by section, and therefore I shall call the members of the committee by name for that purpose as soon as I ask you one or two questions myself. As I recall, Gen. Crowder stated the other day that the fifth paragraph of the first section was intended to displace or suspend for the time being section 79 of the national-defense act. Now, section 6 is to raise, organize, officer, and maintain during the emergency "such number of ammunition batteries and battalions," etc. That is the language of the national-defense act.

Gen. CROWDER. Somewhat modified, and the amendatory language came up from the War College. It represents something technical in the organization of the Artillery arm of the service which needed some expansion, in their judgment. I suppose Maj. Nolan can speak more directly on that point than I can.

The CHAIRMAN. I was simply asking that because I did not see why it should be repeated when it was in language identical with that contained in the national defense act; certainly the first part of it.

Mr. CALDWELL. What section of the national defense act is that?

The CHAIRMAN. At the top of page 16 of the national defense act. I think there is some change in the second sentence: "Such organizations shall be officered in the manner provided in the third paragraph of this section." Perhaps that is the reason for it.

Maj. PIERCE. I think, Mr. Secretary, one reason for it, if I may explain, is that we are forming heavy batteries in an experimental or tentative manner, and therefore there must be some flexibility so we can form them in the most efficient manner possible. It refers especially to these large mobile guns, of which we have none now in the service.

The CHAIRMAN. But you do not change the language, so far as the method of raising and organizing and maintaining them is concerned, from the Hay bill. It is identical in language, except the Hay bill says that in time of actual or threatened hostilities the President is authorized to do this. We have given him now such authority by declaring war.

Mr. CALDWELL. The only difference is that the officers necessary for such organizations in the Hay bill are supplied from the Officers' Reserve Corps and the Regular Army, whereas in this bill such organizations are to be officered in the manner provided in the third paragraph of this section, which covers the entire field of getting officers. Also in the Hay bill it says "the enlisted men necessary for such organizations shall be supplied from the Regular Army Reserve," and in this bill they are assigned from the men we get under the bill.

The CHAIRMAN. Then really the second sentence is the only one that makes any change?

Mr. CALDWELL. Yes.

The CHAIRMAN. On page 10 of the bill, line 12, it is provided that all voluntary enlistments shall be in the Army of the United States, "and those enlisted may be assigned upon enlistment to any force of said Army not required to be raised exclusively by selective draft." I would like to have that explained.

Secretary BAKER. The purpose of that is to have but one recruiting station in a place, and not to have recruiting going on for the Regular Army and the National Guard at the same time and in the same place; but, since the terms of enlistment are equalized and the term of service is equalized, to have just one place where a man enlists and then let us assign him wherever needed, either to fill up the regiments of the National Guard of that particular State or the Regular Army, as we see fit.

The CHAIRMAN. In other words, when a man enlists he can not choose whether he will go into the Regular Army or the National Guard?

Secretary BAKER. That would be the effect of it. We are going to fill up both by the enlistment process, so it would not make any difference, so far as I can see.

Mr. SHALLENBERGER. Suppose you only got enough to fill half of them?

Secretary BAKER. Then the draft would fill the other.

Mr. SHALLENBERGER. To which would you send the volunteers?

Secretary BAKER. To the one that needed them the most.

Mr. CALDWELL. They would have to go into the Regular Army because there is no system of draft for them and there is a system of draft for the National Guard.

Secretary BAKER. They would not have to go into the Regular Army.

Mr. CALDWELL. If you have enough only to fill the Regular Army, would you send any of those who volunteered to the National Guard, Mr. Secretary? You would throw those selected under your power of draft to the National Guard because for every man you put into it—

Secretary BAKER (interposing). This bill gives the right of draft to the Regular Army as well as the National Guard.

Mr. CALDWELL. What section?

Secretary BAKER. I have forgotten which section it is.

The CHAIRMAN. It is section 3. After the volunteering shall be exhausted.

Mr. CALDWELL. So far as that is concerned, it does not make any difference whether it is Regular Army, National Guard, or this third unit of 500,000, so far as service is concerned, because they are all on a parity and equal.

Secretary BAKER. Exactly. The only disadvantage of that is the one which is evidently in the chairman's mind, which is that there may be men in a community who want to be in the same company and would want to go into their home company because of their intimates.

Mr. SHALLENBERGER. Under this bill, when a man goes to volunteer, will he be allowed to choose whether he will go into the National Guard or the Regular Army?

Secretary BAKER. Not under that section. He will now simply enlist in the Army of the United States.

Mr. GORDON. And, of course, that is not the National Guard.

Secretary BAKER. The National Guard will be a part of the Army of the United States. This is not the Regular Army, but it is the Army which consists of the Regular Army, the National Guard, and the additional forces.

Mr. GORDON. Has enlistment in the National Guard been stopped with reference to this provision, Mr. Secretary?

Secretary BAKER. Not with reference to this provision.

Mr. GORDON. But if this law is passed there will be no obligation to allow anybody to join the National Guard until the war is over. If I understand it, they enlist for the defense of the Nation and would not have any option about joining the National Guard?

Secretary BAKER. No; not under this language.

Mr. CALDWELL. In that connection, Mr. Secretary, I have a copy of the War Department order of April 5, 1917, about which I asked some questions the other day. Section 2 of that order reads as follows:

The National Guard idea does not extend to and embrace the organization of entirely new units with no armories, no grouping of personnel according to localities, no probable permanency of existence—upon the eve of, or after the beginning of hostilities.

Now, that may be very desirable, but, as I understand it, there is no provision in the law which justifies it.

Secretary BAKER. No provision except regulation, the regulation of the department pursuant to the section quoted by Mr. Dent yesterday.

Mr. GREENE. Is it to be assumed, Mr. Secretary, that nothing preventing, a man on presenting himself for enlistment under the terms of this paragraph might be allowed to express a preference, and

that preference, being within the expediency of the service at the time, would be gratified?

Secretary BAKER. There would not be the slightest disposition to shunt him from one force to another if he expressed a preference for one. The purpose of the section was not at all to prevent men from joining the National Guard, but to prevent the necessity of setting up rival recruiting stations and having the Regular Army man and the National Guard man trying to get the same recruits.

Mr. KAHN. In reference to this very paragraph, would not the language "not required to be raised exclusively by selective draft" forbid the noncoms and the cooks and others being transferred to the drafted force to help train them?

Gen. CROWDER. No; that is taken care of in another part of the bill, which says it shall not be construed in such a way as to prevent the transfer of cadres.

Mr. KAHN. And you think that would take care of such a situation?

Gen. CROWDER. Yes.

Mr. GORDON. What was that term you used?

Gen. CROWDER. Cadres—training cadres—small detachments of noncommissioned officers and privates which would represent, in the early stages, the company, and go ahead and expand the organization up to the strength of a company.

Mr. GORDON. What does the word "cadre" mean?

Secretary BAKER. It is a French word and means a body.

Gen. CROWDER. We have Anglicized the word, however.

Secretary BAKER. I get all the pronunciations of which that many letters are capable; but it means a technical force attached to a military establishment which is used for training purposes.

Mr. KAHN. Mr. Secretary, as the recruits have been coming in have they been assigned to the various arms in proportion?

Secretary BAKER. I can not answer that, Mr. Kahn. I do not know.

Mr. KAHN. I have heard it stated that they have been largely filling up one branch of the service, the Cavalry, and that they are not being distributed equitably among all the arms.

Secretary BAKER. I have no means of knowing whether that is true at the present time or not. I can inquire and find out for you.

Mr. KAHN. Will you find out?

Secretary BAKER. I will be very glad to. Men are given their preference in enlisting, as far as possible, those preferring the mounted branches being so assigned. The dismounted branches, especially the Infantry, has had a great many vacancies to fill, due to raising the companies from a strength of 65 to 100 each, in addition to having seven new regiments added in first increment, while the Cavalry troops remained at same strength as before national defense act was passed, while only two additional regiments were added. Naturally this small increase of Cavalry was more quickly enlisted, and this gave rise to the idea that recruits were not being assigned equitably.

Mr. KAHN. What is the purpose of the language on line 9 of the first page, "or such parts thereof"?

Secretary BAKER. The national defense act authorized the Regular Army to be increased by 5 annual increments and the National Guard

to be increased by 11 annual increments, and the purpose of that is to authorize the President in his discretion to include all 5 increments of the Regular Army and all 11 increments of the National Guard if, in his judgment—which, of course, would be the judgment of the War Department—it can be done without violence to the training of the whole force.

Mr. KAHN. As I understand it, it is the purpose of the department to call out all of those forces?

Secretary BAKER. No; that is not the present purpose of the department. The present purpose of the department is to call out only one increment of the Regular Army and only one of the National Guard, in addition to its present strength.

Mr. KAHN. Did you not state the other day that you proposed calling out 614,000 men?

Secretary BAKER. Yes.

Mr. KAHN. That would be all of them?

Secretary BAKER. I think not. I think that would not be all. What is the fact about that, Maj. Nolan?

Maj. NOLAN. That would be all the increments of the Regular Army and the present National Guard divisions raised to war strength and their complements of Artillery and Cavalry completed—the 12 divisions.

Mr. KAHN. That is what I understood.

Maj. NOLAN. That would make 614,000 men.

Secretary BAKER. That was not explained to me and I do not so understand it. Gen. Scott says that was not intended, and that that number simply shows what the President's power would produce. The intention of the department has been to call out but one of the authorized increments of the Regular Army.

Mr. KAHN. How many men would that one additional increment be, all told?

Gen. SCOTT. Twenty-five thousand men.

Mr. KAHN. Then you would have in the Regular Army approximately only 170,000 men called out under this act; is that your purpose?

Gen. SCOTT. I have forgotten the exact number.

Secretary BAKER. Maj. Nolan, have you the figures? What is the present strength of the Regular Army?

Maj. NOLAN. Peace strength, 137,000.

Secretary BAKER. And 25,000 added to that would be what?

Maj. NOLAN. One increment at war strength is 26,000.

Secretary BAKER. Suppose you raised the present Regular Army to its war strength, what would it be?

Maj. NOLAN. One hundred and seventy-seven thousand.

The CHAIRMAN. I thought you said the other day it would be 280,000.

Maj. NOLAN. With all the increments at full war strength, 287,000.

Mr. KAHN. Two hundred and eighty-seven thousand would be with all the increments and at full war strength?

Maj. NOLAN. Yes.

Mr. KAHN. But you now have one increment by natural operation of the law, and on the 1st of July you would get the second one?

Maj. NOLAN. Yes, sir.

Mr. KAHN. Now, that would raise it to what?

Secretary BAKER. In other words, taking the present Regular Army at war strength and these two increments at war strength, what would be the aggregate?

Mr. KAHN. With only one increment.

Secretary BAKER. I understand; the two increments, the one we have and the one we are going to get.

Maj. NOLAN. That would be 203,401.

Mr. KAHN. That is the total war strength?

Maj. NOLAN. The total war strength, with second increment, would be 203,401.

The CHAIRMAN. I do not exactly understand that.

Secretary BAKER. Mr. Chairman, the question was, Under this bill is it the intention to call out the increments of the Regular Army at war strength? My answer was that the intention of the department was to call out but one of the four remaining increments of the original authorized five annual increments. Then Mr. Kahn wanted to know what the Regular Army would then be numerically, raising the present establishment to war strength and adding one additional increment of war strength, and it has been stated that would be 203,000 men, roughly.

Mr. KAHN. Then, as I understand you, at the present time it is the intention of the department only to call out one additional increment of the Regular Army?

Secretary BAKER. That is the present intention, but this bill gives authority to call them all.

Mr. KAHN. I understood that, and I wanted to see just how the conscription part was going to work in with the volunteer force. You hope to fill up the Regular Army and the National Guard by volunteers?

Secretary BAKER. Yes, sir.

Mr. KAHN. I hope you may be able to do that, and I am with you on that and I am with you on the conscription part, but I want to know, if you only call for 203,401 men in the Regular Army, whether you will be able to take care of those men who want to volunteer?

Secretary BAKER. I think it is entirely likely we may not be able to take care of all the men who want to volunteer. I think it is very undesirable to take care of all of them; that is to say, there are a very large number of people in the United States who will want to volunteer who ought not to be in the military forces at present; their importance in industry is too great. We are facing, for instance, gentlemen, the farm-labor situation. Now, it is wholly impossible to take away from the active industrial and vital forces of a country like ours 750,000 men or 700,000 men without dislocating something. We ought to make that dislocation just as little as we possibly can, and it is for that reason I strongly prefer—at least it is one of the reasons—the use of the draft from 19 to 25 before men have become articulated into industrial and agricultural occupations of the country to allowing volunteering for that force up to 40 years of age, which would produce a very large body of men who are very important to the food production and industrial operations of the Nation in time of war.

Mr. KAHN. Mr. Secretary, would you object to a proviso on page 2, line 2, after the word "law," to this effect:

Provided, That increments of the line of the Army shall be added so that each arm of the line is increased by the same proportion of the total increment authorized by the national defense act as other arms of the line.

Secretary BAKER. Yes; I would object to that.

Mr. KAHN. You would?

Secretary BAKER. Yes.

Mr. KAHN. Do you not think that the various arms ought to be built up proportionately?

Secretary BAKER. No; I do not think you ought to have an inelastic provision on that subject. It may, for instance turn out, I do not know—I have no means of knowing—but I can easily imagine that it might turn out we would have no use for cavalry and much use for infantry, or that we would have no use for infantry and large use for field artillery, and I think we ought to be permitted to build up the arm we are going to need. Gen. Scott says, in answer to your earlier question, the whole policy of the department has been to treat the arms equally or proportionately, except the Ordnance Department, which we have favored.

Mr. KAHN. You have favored that department and I think you were right in doing so. The second paragraph of the first section on page 2 makes no provision about the appointment of the officers. That is referred to in section 3. Do you not think it would be well to put into section 2 the provisions in the draft resolution of July 1, 1916, as to the appointment of the officers for that particular class of men? You have a provision in the first section for the officers of the Regular Army, and in the second section it seems to me it would be advisable to put a provision for the appointment of officers for that class of men in that section, and then in the third section, of course, you would put in a provision for the other officers. Would not that be better?

Gen. CROWDER. The effect would be to take away from the National Guard when drafted into the service the exclusive right they now have to have their officers in the drafted force appointed from the members thereof. It was by way of deferring to the exclusive right they now have to their own officer personnel that the law was drawn in the way you find it in the act.

Mr. KAHN. Can not the provisions of the draft act of July 1, 1916, be applied to the officering of the forces provided under the second paragraph of section 1 of this bill?

Gen. CROWDER. Have you a copy of the draft resolution of July 1? I do not now recall what classes were mentioned there. Have you a copy of that draft resolution?

Mr. KAHN. I have sent for a copy of it, but have not been able to get it as yet.

Secretary BAKER. What you want to do is just what we want to do. You want the National Guard brought into the service with its officer personnel just as it is, and we want to do that.

Mr. KAHN. Yes.

Secretary BAKER. We want to do that, too.

Mr. KAHN. Here is my idea about it: If this second paragraph is perfected so as to provide for its officers, then, no matter what the House does with the third paragraph, at least you will have the first

and second divisions of the Army you propose to create properly provided for. Whereas if there is no provision of that kind in the second paragraph, and there should be a change in the third paragraph, you probably would have no provision for officering the second class of men.

Gen. CROWDER. You have that provision to-day in section 111 of the national defense act. That section 111 requires that the officers of the drafted National Guard shall be appointed from the members thereof.

Mr. KAHN. I will not take up any further time on that. I notice that section 2 and section 3 of the act are practically the same, with the exception of the words in line 18 of page 6, "that this provision shall not prevent the transfer to any force of training cadres from other forces." Now, it seemed to me, from a reading of the bill, that that must have been an oversight. Probably somebody's attention was called to the provision as you had it, and you then put in the language on page 6 that I have just read and repeated the entire former paragraph. The language on page 5, line 8, is, "and all other forces hereby authorized shall be raised and maintained by selective draft exclusively." If you had that language in the law, I take it, you could not transfer noncommissioned officers and cooks from other branches so as to train men in these new organizations. But that is now taken care of in this proposed new language. That is the only difference I notice in the two paragraphs.

Gen. CROWDER. One modifies the other.

Mr. KAHN. Yes; but what is the use of having that second paragraph in the bill if you have the same thing in the following section, or section 3, with that provision allowing you to transfer noncommissioned officers and the auxiliaries that you would need to train new forces? Is there any reason why that language should be repeated?

Gen. CROWDER. I had not discovered the repetition.

Mr. KAHN. Section 2 should be stricken out and section 3 retained. Mr. Secretary, if you will read section 3 I will read section 2, and you will see that the language is exactly the same.

Gen. CROWDER. Section 3 should be stricken out and section 2 retained.

Mr. KAHN. No; section 2 should be stricken and section 3 allowed to remain.

Gen. CROWDER. With that provision about cadres?

Mr. KAHN. Yes; that is in section 3.

Gen. CROWDER. That should be retained.

Secretary BAKER. I am sure you are right about it, but I can not see how the mistake occurred.

Gen. CROWDER. Section 3 is really intended as a substitute.

Mr. KAHN. That is the way I figured it out.

Gen. CROWDER. The printed copy of the bill leaves out the exemptions section. It leaves out all of the section regarding exemptions from the draft.

Secretary BAKER. Mr. Chairman, we have discovered very serious confusion in the printed draft of the proposed bill due, no doubt, to a confusion of manuscripts. The whole section regarding exemptions is omitted from the printed draft and sections 2 and 3 are

copies of one another, section 3 being really intended in the printed form.

Mr. NICHOLLS. Don't you think it would be a good idea to have that section relating to exemptions read?

Gen. CROWDER. It would be section 3.

The CHAIRMAN. I sent to the Printing Office the copy that Gen. Crowder gave me the other day.

Gen. CROWDER. I can not understand how the mistake occurred.

The CHAIRMAN. I sent it just as you gave it to me.

Gen. CROWDER. Section 3 reads as follows:

SEC. 3. The Vice President of the United States, the officers—legislative, executive, and judicial—of the United States and of the several States and Territories, and all persons in the military and naval service of the United States shall be exempt from the selective draft herein prescribed; and nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing whose creed forbids its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed of said religious organization; and the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section one hereof, or to draft for partial military service only, persons of the following classes: Customhouse clerks; persons employed by the United States in the transmission of the mails; artificers and workmen employed in the armories, arsenals, and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate; pilots, mariners actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect to persons dependent upon them for support, which renders their exclusion or discharge advisable; and those found to be physically and morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists.

I might say, in explanation of this section, that it was drawn after consulting the exemption provisions in the early act of 1795, in the draft act of 1863, in the Dick bill, as well as the exemptions that are carried in the national defense act of June 3, 1916.

Mr. GARRETT. You have brought forward all of the exemptions in those acts and have included them here?

Gen. CROWDER. With this exception: That we substituted the provision in the Dick bill for the provision in the national defense act relating to exemptions on religious grounds. In the national defense act that was made an individual exemption, whereas the Dick bill made it a matter both of individual conviction and membership in a religious sect whose doctrine was against war.

Mr. KAHN. As I understand you, this section that you have just read has been generally included in legislation providing for a draft?

Gen. CROWDER. Yes. We have had but one, and that was by the act of 1863. We have had but one draft act in all our history.

Mr. KAHN. But exemptions were allowed almost from the beginning of the Government.

Gen. CROWDER. Yes; commencing with the act of 1792.

The CHAIRMAN. Which of the sections goes out?

Secretary BAKER. Section 2 goes out.

Mr. KAHN. Section 2 was amended in the department by adding a certain paragraph or a certain sentence. It is all included in section 3, so that section 3 ought to stand and section 2 ought to go out.

Secretary BAKER. Section 2 goes out and section 3 becomes section 2, while the omitted section becomes section 3.

Mr. KAHN. On page 3 you provide, in line 14, for imprisonment for failure to comply with the provisions—

Secretary BAKER (interposing). On page 3?

Mr. KAHN. No, sir; in section 4, on page 8.

Secretary BAKER. Page 8, line 14.

Mr. KAHN. Yes. You say that he shall be punished by imprisonment for not less than three months nor more than one year, and shall thereupon be duly registered. Now, don't you think that the imprisonment ought to be for not less than one year? I suggest that because if a man wants to evade the service he would probably prefer to take three months in the county jail in order to evade it.

Secretary BAKER. The difficulty is, if he is imprisoned for that length of time, he goes to the jail instead of to the ranks.

Mr. KAHN. Besides that, I have this in mind: If he is sent to jail and then comes back and is drafted, will not the other soldiers feel resentment at the fact that a man who has been in jail for trying to evade his duty is put among them?

Secretary BAKER. Of course that would present a disciplinary question. We can not afford to allow a man the alternative—

Mr. KAHN (interposing). I would make the punishment so severe that he would not dare to evade the law, as he might if you prescribe a light sentence such as three months.

Mr. WISE. Why not provide an imprisonment of 10 days and then have him drafted into the Army?

Mr. CALDWELL. Why would it not be a better plan to have the man who fails to register immediately drafted?

Secretary BAKER. The objection to the suggestion last made, which is pertinent to the discussion, is that it makes the draft a disgrace and a part of the penal institution. I do not want any such aspect to pertain to this draft.

Mr. KAHN. I agree with you in that.

Mr. CALDWELL. Why not make it imprisonment for the period of the war?

Mr. KAHN. Many men would be willing to take that in preference to going to the front. But it seems to me that the punishment for that should be made as severe as possible. Then there is that other feature about it that a man will feel reluctance about serving with a fellow who has served in jail.

Secretary BAKER. There is an additional difficulty in your suggestion, which is that you will find that a severe penalty is impossible to enforce. That is the history of all severe penalties.

Mr. KAHN. Would you consider a year's imprisonment in the State prison a severe penalty?

Secretary BAKER. Yes; and then the courts, in my judgment, would be very ready to accept an excuse, such as that the man forgot or that somebody was sick in the family. The courts would be more ready to accept excuses if the penalty was a severe and ignominious one.

Mr. KAHN. I rather disagree with you on that.

Secretary BAKER. I am simply speaking from my general belief that severe penalties are hard to enforce.

Mr. KAHN. I am under the impression that if the man who tries to violate his obligation to the country knows that he is going to be severely punished for that violation you will find that he will be reluctant to violate it.

SECRETARY BAKER. On the other hand, if he goes to jail for a few days and gets recruited anyhow, the regiment to which he is attached will have the joke on him and will rig him about it and make it a matter of rather rude playfulness, and the discipline will be pretty salutary.

Mr. KAHN. Referring to the following language on page 10, line 5:

All enlistments, including those in the Regular Army Reserve, which are in force on the date of the approval of this act, and which would terminate during the emergency, shall continue in force during the emergency, unless sooner discharged; but nothing herein contained shall be construed to shorten the period of any existing enlistment.

Have we not that language, practically, in the national-defense act?

Gen. CROWDER. No.

Mr. KAHN. I am not quite sure of the section, but, if my memory serves me right, there is something of that sort in the national-defense act.

Gen. CROWDER. There is legislation of that kind in the volunteer act of the Spanish War period. I am not certain whether it is in the national-defense act or not.

Mr. KAHN. I think it is; but I have not had a chance to look at it.

Gen. CROWDER. The instruction the Secretary gave as to the drafting of this bill was to make it as short as possible, but to incorporate as much as was necessary to enable the bill to be understood without too much reference to other acts.

Mr. KAHN. I will look that up later. I have been so occupied with work since we last met that I have not given as much attention as I would like to the matter.

Secretary BAKER. I would like the committee to have the benefit of Gen. Crowder's answer to that question, because it may explain a number of things. Mr. Kahn asked the Judge Advocate General whether a certain provision in line 5 of page 10 was not substantially the equivalent of language in the national-defense act, and Gen. Crowder's answer was that it might well be, but that my instructions to him were to put practically everything in this act so that a man who wanted to study his military obligations would not have to refer from this act to other acts, but everybody could see from one paper just what the Military Establishment was provided for this emergency, and therefore you may find repetitions in it.

The CHAIRMAN. Yes; I have discovered that, and I think that is a very good reason for it.

Mr. QUIN. Mr. Secretary, under your exemption clause, do you define what pursuits and industries are included in the exemption?

Secretary BAKER. No; it is impossible to do that in advance, Mr. Quin. For instance, I can give you a single illustration. It would, I think, be impossible or inadvisable to put in an exemption of all persons engaged in the manufacture of Ferris alloys, and yet when we operate this law we may find enlistment or draft applying to persons who are indispensable to the production of Ferris alloys which are used in the manufacture of ordnance and ammunition.

Now if we discover persons of that kind, some kind of tribunal will have to be set up which will hear the prospective soldier and his employer to determine, first, whether the industry by reason of which he claims exemption is in fact important to the national defense, and, second, whether his relation to that industry is one which can not be suffered to be broken. It seems to me it will have to be done by individual consideration of the cases.

Mr. QUIN. What justification can the department put up for exempting persons of religious belief against fighting? I believe everybody ought to fight and would not propose to exempt any man.

Secretary BAKER. Of course, the justification is that the men at the front can not fight unless the men at home provide them with the things to fight with.

Mr. QUIN. But I am talking about the religious exemption.

Secretary BAKER. That is a historic question. It is a part of the policy of the Government to allow liberty of conscience, and where men are actually members of religious bodies which have entertained that view, they have never been required in this country to fight.

Mr. CALDWELL. About how many men would that apply to?

Secretary BAKER. Relatively a small number, and, of course, their attitude toward war is always a very wholesome one. You will remember what the Quakers in Pennsylvania did when Benjamin Franklin told them they ought to fight. They told him they could not fight, but that they would supply the means to fight with, and they gave a large sum of money and asked not to be informed as to how it was spent, and it was spent to buy arms.

Mr. GORDON. Mr. Secretary, the duties and penalties imposed upon State and local officers in connection with the administration of this draft provision are somewhat arduous and stringent. Has the judicial department given you an opinion as to the power of the Federal Government to impose these duties upon such people without first drafting them into service?

Secretary BAKER. It constitutes pro tanto a draft, and if you authorize it as a part of the draft power, the President would pro tanto be drafting them for that service. I am speaking now only to the question of power.

Mr. GORDON. Yes; but if you have a general exemption exempting these officers from the draft and, as I understand that is included, you could not very well by another provision of the act draft them.

Secretary BAKER. They are exempted in their quality as executive officers of a subordinate division of the Government from being drafted into the military service as such, but a subsequent provision which imposes civilian duties on them and which was in the nature of a draft would not be inconsistent with that.

Mr. GORDON. Do you not think there is some question about the power of the Government, under its power to draft for military purposes, to prescribe duties for officers of local subdivisions?

Secretary BAKER. No, sir; I have no doubt about that as a matter of law. It may be interesting, in further pursuit of your inquiry, to say to you, Mr. Gordon, that I should suppose 90 per cent of the governors of the States have notified me of their very zealous readiness to place not only themselves but all State agencies in immediate co-

operation with the Government to accomplish the purpose enumerated.

Mr. GORDON. Of course, the duties of State agents are prescribed by law, and they are not under the orders of the governor, except—

Secretary BAKER (interposing). Well, curiously enough, in most States there are statutes which authorize governors to call upon assessors and persons of that kind to make enumerations for military purposes.

Mr. GORDON. In the absence of a statute?

Secretary BAKER. I say there are statutes which authorize that in most cases.

Mr. GORDON. Referring to the provision which provides that each chief of a bureau in the War Department shall, during the existing emergency, have the rank, pay, and allowances of a major general, do you recall from memory what that amounts to, Mr. Secretary?

Secretary BAKER. I can tell you the object of it. I do not know just what it would foot up in the matter of elevations in rank. We are providing for an army of 1,000,000 men to be managed by a lot of staff corps and bureaus which in times of peace manage, probably, 300,000 men. It means an enormous increase in the work and in the responsibility of the men involved.

Mr. GORDON. Of course, they will ask for increased help, I apprehend.

Secretary BAKER. They will ask for increased clerical assistance, but there will, of course, be a corresponding increase of personal labor and responsibility on the part of each one of them. In the meantime, the line of the Army will be receiving all kinds of recognition in increases of rank and increases of opportunity.

Mr. GORDON. Yes; I have observed that already, but the point I make is this: What is the pay and allowances of a major general?

Secretary BAKER. I do not know.

Mr. GORDON. The flat salary is \$8,000 besides the allowances.

Secretary BAKER. There is a flat salary of \$8,000, and then they receive commutation and certain allowances.

Mr. GORDON. Are you able to state that, Gen. Crowder?

Gen. CROWDER. The pay proper is \$8,000, and then he has commutation of quarters and of heat and light.

Mr. GORDON. All aggregating how much?

Gen. CROWDER. The commutation of quarters would add about \$1,200 more—a little bit more than \$1,200—making it \$9,200, and the amounts added by the other allowances for heat and light would not be great; a small amount would be added for that.

The CHAIRMAN. Would \$300 cover that?

Gen. CROWDER. Yes; I should say so.

Mr. GORDON. You think it would not exceed \$9,500 per annum?

Gen. CROWDER. That would be about the maximum of his pay.

Mr. CALDWELL. Then he gets longevity?

Gen. CROWDER. That is all included.

Mr. GORDON. It simply occurred to me that in a great crisis like this we are all expected to make some sacrifice, and the policy of increasing the pay of all the bureau chiefs in this war looks to me at this time to be perhaps rather premature.

Secretary BAKER. I was perfectly aware that that thought would occur. It occurred to me. When the question was brought up of

treating the establishment as a whole and not allowing discriminations and differences in it, the first suggestion was that there should be a large increase of officers of higher rank in the various Staff Corps because of the fact that they would be numerically stronger and have very greatly increased burdens. That was earnestly discussed by officers representing the line of the Army and representing the Staff Corps, and I myself participated in a very full discussion of it lasting several hours. As a net result of that discussion, it was suggested that a committee be formed, and that committee was formed of very competent men, and this was their recommendation as perhaps the easiest way to dispose of the whole question. It seems to me a just way to do it.

Mr. GORDON. Were the chiefs of these bureaus parties to the discussion?

Secretary BAKER. One was a bureau chief and the two others were not. They reached a unanimous agreement.

Mr. CALDWELL. What is their salary now, about?

Gen. CROWDER. \$6,000, flat pay.

Secretary BAKER. \$6,000, and then there is probably \$1,200 to be added to that.

Mr. CALDWELL. This would be an increase of about \$2,000 apiece for them?

Secretary BAKER. Yes.

Mr. CALDWELL. And how many of them are there?

Gen. CROWDER. Eight.

Mr. CALDWELL. A major general in the field does not get commutation of quarters.

Secretary BAKER. He gets his quarters in the field.

Mr. CALDWELL. And they are movable quarters, and usually a tent.

Mr. GORDON. This would apply, of course, to whatever bureau chiefs might hereafter be created in accordance with the increase in the military forces.

Secretary BAKER. I do not imagine there would be any increase in the bureaus.

Mr. GORDON. You do not?

Secretary BAKER. I should not think so.

Mr. GORDON. You have the faith which moves mountains, Mr. Secretary.

Secretary BAKER. Just for my information, these bureaus are all created by law, are they not?

Mr. GORDON. Yes.

Secretary BAKER. This does not propose any increase in the number of bureaus?

Mr. GORDON. No; but my own experience in Congress has been that whenever an emergency like this arises, they will always ask for additional facilities.

Secretary BAKER. Undoubtedly, additional facilities will be asked for and large increases of clerical help, and all that sort of thing, but no additional or independent bureau previously nonexistent is proposed to be created by this act.

Mr. GORDON. No; not by this act.

Secretary BAKER. I would like to make a general observation on that subject. I hope that in all future legislation Congress will preserve the priority of rank among the bureau chiefs in the War

Department. I think that every step that has been taken away from that has been unfortunate.

Mr. GORDON. But you would not care to recommend that no subsequent legislation increase the bureaus?

Secretary BAKER. I should be sorry to recommend anything that seemed to impinge upon the future power of Congress.

Mr. GORDON. By recommending you are not impinging at all.

Secretary BAKER. I would not like to even recommend. I do not know about the future. This is only to-day. To-morrow I might have to create a new bureau, but at present I have not any in contemplation.

Mr. ANTHONY. In reference to the exemption of those having certain religious beliefs, in some previous recommendation of the department I thought I saw a provision that would provide for service for these people in the noncombatant corps of the Army.

Gen. CROWDER. That is in the national-defense act and is repeated here, except the terminology employed is "partial service" and not "noncombatant service."

Mr. ANTHONY. Would not that really be a better provision for the Government?

Secretary BAKER. Gen. Crowder says that is provided here—partial service.

Gen. CROWDER. Not as applying to the religious classes.

Mr. ANTHONY. As I understand your position, if they are members of these religious orders they are totally exempted?

Gen. CROWDER. That is right. This bill differs from the national-defense act in one regard. Under the national-defense act they could be drafted for noncombatant service. Here the exemption is complete for the religious people.

Mr. ANTHONY. It occurs to me that as the class of men you propose to draft under this bill are to be from 19 to 24, and all active young men, their religious beliefs must be rather immature, and would it not really be better to give them service in the noncombatant corps?

Secretary BAKER. I have no objection to that.

Mr. ANTHONY. I have just one more question to ask you, Mr. Secretary. When you get right down to the bedrock of this bill it means that hereafter, if this legislation is enacted into law, we will have just one Army in this country, and that will be the Regular Army, does it not?

Secretary BAKER. I do not like to say yes to that, because it could be implied to mean we would have only the Regular Army as we have had it in the past, which would not be accurate. We will have one Army, and that will be the National Army.

Mr. ANTHONY. And that means that after this war is over, if this legislation stands, we will have the conscription idea remaining, and the ranks of the Regular Army, such as it may be, will be filled then through this system of selective conscription?

Secretary BAKER. Not unless you so provide.

Mr. ANTHONY. Is not that provided under the terms of this bill?

Secretary BAKER. It is not.

Mr. ANTHONY. Why would it not be?

Secretary BAKER. Because this bill authorizes the raising of certain designated numbers of men for a certain period by a certain process. When the emergency shall have elapsed and these men are

discharged, this bill will be dead of its own weight, and the entire military talent of the country will be still in the hands of the Congress.

Mr. ANTHONY. I read the bill very carefully, and I can not see that the legislation would die after the emergency passes.

Secretary BAKER. If there be the slightest doubt about that it is certainly a doubt not due to our intention.

Mr. ANTHONY. The language is that in view of the existing emergency the President be, and is hereby, authorized—that is the excuse for the legislation.

Secretary BAKER. Authorized to do certain things. He is authorized to raise the Regular Army and National Guard to a stipulated strength and bring in a certain number of men, all of whom shall be under certain obligations for a designated emergency.

Mr. ANTHONY. But as I read the bill it still leaves the machinery on the statute books.

Secretary BAKER. Let me see if I correctly understand you. I think I can not. Do you mean that if this war was over, and the army created by this bill was disbanded, that there would still remain with the President the power to authorize a draft or to exercise the draft to build up the National Army?

Mr. ANTHONY. Yes.

Secretary BAKER. The bill, I think, is not patient of that construction.

Mr. ANTHONY. And that is not the purpose?

Secretary BAKER. That is not the purpose, and I think it does not bear that construction.

Mr. GORDON. If the committee concluded otherwise, your department would have no objection to having it amended so as to make that clear?

Secretary BAKER. If it is capable of that construction, my department will be glad to cooperate with the committee in perfecting language that will effect the intention as expressed.

Mr. SHALLENBERGER. Mr. Secretary, Mr. Gordon omitted one question which he wanted to ask, and I am going to ask it for him. Why was not the volunteer act of April 20, 1914, utilized in this emergency?

Secretary BAKER. Because it is a volunteer act.

Mr. GORDON. As a volunteer act, did the War Department find any fault with it, do you recall?

Secretary BAKER. I can not say, Mr. Gordon.

Mr. SHALLENBERGER. In the matter of the number of troops—

Secretary BAKER (interposing). Gen. Crowder, by the way, submits an observation that it may be important for you to have in mind, and that is that the national-defense act is so inconsistent with the terms of the volunteer act that it would be very difficult to operate the volunteer act now without amendment. General, could you, without difficulty, point out those inconsistencies for the information of the committee?

Gen. CROWDER. There are a great many changes in the composition of the units affected by the national-defense act, particularly in regard to the high tactical units of Army corps, divisions, and brigades; but coming down the line and including regiments, battalions, and companies, the volunteer act provided that forces of

the Organized Militia might volunteer in a body and come into the Volunteer Army in that way. That part of the law is entirely superseded by the provision of the national-defense act under the terms of which they come into the service of the United States in another and very different way, namely, by draft.

Those are fundamental differences which occur to me at the moment. There are certain provisions of the volunteer act that have been reenacted in the national-defense act. As a matter of fact, the volunteer act has been emasculated by the enactment of the national-defense act, so that it would be very difficult to raise a volunteer army under its provisions to-day that would be assimilated to the Regular Army and to the National Guard as it was created in the national-defense act. We have not undertaken any analysis of the bill to show all of the conflicts between the national-defense act and the volunteer act, but there are numerous conflicts. An additional point of conflict occurs to me: The volunteer act provided that the number of staff officers, in addition to the staff officers of the Regular Army, should not exceed 1 for every 200 enlisted men brought into the service by volunteering, whereas the national-defense act passed at the last session of Congress provides 7 medical officers per 1,000 enlisted men; so that under the volunteer act we would utilize all our authority for appointing staff officers in appointing the medical officers recognized as necessary by the national-defense act. I can not make apparent to you in any great detail the points of conflict between the national-defense act and the volunteer act now.

Mr. GORDON. I would suggest that you extend your answer in the record so as to specifically point out the inconsistencies to which you have referred and any others which may occur to you.

Gen. CROWDER. I will do so.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, April 13, 1917.

Subject: Difficulties in organizing an army under the volunteer act, which are occasioned by later legislation.

1. The volunteer act approved April 25, 1914, contains certain provisions which are modified, superseded, or rendered unworkable by provisions of the national defense act, as hereinafter indicated, and which would present obstacles to the organization of an army under the volunteer act.

2. The second and last provisos of section 3 of the volunteer act of April 25, 1914, read:

"Provided further, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion, or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia service with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organization or elsewhere as the President may direct: * * *"

The proviso here quoted follows substantially the provision of section 6 of the act of April 22, 1898 (30 Stat., 362), authorizing organizations of the Organized Militia to enter the Volunteer Army as organizations when they presented themselves with certain minimum strength. It does not permit

the taking into the Volunteer Army of any organization of the Organized Militia higher than a regiment; and it is expressly provided in section 5 of the act of April 25, 1914, that no officer above the grade of colonel should be appointed under the provisions of the act.

The national defense act of June 3, 1916, provides for the conversion of the Organized Militia into Federalized National Guard, and, by the method of draft set forth in section 111 of said act, for bringing the Federalized National Guard into the service of the United States in time of war for all purposes for which a Regular Army may be employed. Under its terms not only may the members of a company, troop, battery, battalion, or regiment of the Federalized National Guard be drafted into the service of the United States, but the members of higher units of brigades and divisions may be so drafted and organized into corresponding units. I am of the opinion that the provisions of section 111 supersede the provisions of the proviso above quoted in so far as the Federalized National Guard is concerned, but leave that proviso in force in respect of the Organized Militia still subsisting. It would be necessary, I think, to repeal this proviso to make the act a workable measure for bringing into the service of the United States a force of volunteers under its terms. If it were allowed to remain in and left applicable to surviving organizations and individuals of the Organized Militia, it would, as will hereinafter appear, give this latter force a preferential status in the additional forces to be raised which no one would suggest or attempt to defend. A further defect of the proviso is found in the fact that the authorization for accepting the Organized Militia as volunteers is limited to a "troop, battery, battalion, or regiment," a terminology which is not inclusive of many organizations existing under the national defense act, such as sanitary trains, and would be of doubtful application to the bringing into the service of any special units of this character.

3. That the system of raising volunteer forces prescribed by the volunteer act contemplates a priority of use as volunteers of the organized land militia is indicated by the concluding proviso of section 3 of that act, reading:

"That when the raising of a volunteer force shall have been authorized by Congress, and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular arm or class may be raised and accepted into said service in accordance with the terms of this act, regardless of the extent to which other arms or classes of said militia shall have been called into said service."

While, as pointed out (*supra*), provisions of the volunteer act relating to the organized land militia have been superseded as to the National Guard by provisions of the national defense act, section 111 of which prescribes a special method for the induction of the members of that force into the service of the United States when Congress shall have authorized the use of armed land forces of the United States, requiring the use of troops in excess of those of the Regular Army, there still remains an expiring class—the Organized Militia—which the rather obscure provision quoted (*supra*) seems to imply would have a right to claim a priority of acceptance, such as would preclude the organization of other volunteers until after they had been accepted as volunteers. In view of this consideration it would be necessary, in organizing an army under the volunteer act of April 25, 1914, to repeal the proviso of section 3 of the volunteer act just quoted.

4. Section 6 of the volunteer act, which provides for the appointment of staff volunteer officers, contains a proviso:

"That the total number of such staff officers so appointed, including all such officers of the Organized Militia called into the military service of the United States, shall not exceed the ratio of 1 officer to 200 enlisted men for all militia and volunteer forces called into the military service of the United States."

The second paragraph of section 10 of the national defense act, prescribing the organization of the Medical Corps, provides that—

"The total number of such officers shall approximately be equal to but not exceed, except as hereinafter provided, 7 for every 1,000 of the total enlisted strength of the Regular Army authorized from time to time by law."

Since this ratio for the Medical Corps would require 1 medical officer for every 143 enlisted men, the appointment of staff officers so as to provide a number of staff officers corresponding even approximately to the number maintained in the Regular Army would be impossible under the limitation prescribed by the volunteer act. Such a limitation would not permit the appointment of a sufficient number of medical staff officers, even if no officers of other

staff departments were appointed. Since the national defense act contains the latest expression of Congress as to the proper organization of the military forces, line and staff, the intention of Congress not to adopt any such limitation in organizing military forces, line and staff, is plainly indicated. I am therefore of the opinion that it would be necessary to repeal the proviso here quoted in order to permit the appointment of an adequate number of staff officers for an army raised under the provisions of the act in which it occurs.

5. Section 7 of the volunteer act authorizes the President to select volunteer officers from (a) the Regular Army, (b) those duly qualified and registered pursuant to section 23 of the act of Congress approved January 21, 1903, (c) the country at large, and (d) the organized land militia. The national-defense act creates the Officers' Reserve Corps and the Enlisted Reserve Corps and provides in section 39:

"That in time of actual or threatened hostilities, after all available officers of any section of the Officers' Reserve Corps corresponding to any arm, corps, or department of the Regular Army shall have been ordered into active service, officers of Volunteers may be appointed in such arm, corps, or departments as may be authorized by law,"

thus indicating that reserve officers are to be given a priority of employment when forces in addition to those of the Regular Army are required in time of actual or threatened hostilities. It is therefore plain, I think, that it would be necessary, in order to carry out the spirit of later legislation, to amend section 7 of the Volunteer act so as to include officers of the Officers' Reserve Corps in the sources from which Volunteer appointments may be made, giving them priority over all other sources except the Regular Army, and to include also as a source from which appointments may be made the Enlisted Reserve Corps created by the national-defense act.

6. The only authority for the use of retired officers and enlisted men, either with their rank on the retired list or under volunteer appointments, is contained in section 11 of that act, which limits the employment of retired officers to those not above the grade of colonel and authorizes their appointment as officers of Volunteers in not more than one grade higher than that held by them on the retired list. The authority contained in that section for the employment of retired officers is also limited to the organization of a recruiting system, and provision is made therein that retired officers and enlisted men thus employed shall not be eligible for transfer to field units. Retired enlisted men may be employed with increased noncommissioned grade or as Volunteer officers not above the grade of first lieutenant. It is provided in section 24 of the national-defense act—

"That in time of war retired officers of the Army may be employed on active duty in the discretion of the President."

It is plain that the provisions of section 11 of the Volunteer act, restricting the use of retired officers, are inconsistent with this provision of section 24 of the national-defense act authorizing unrestricted use of retired officers. In the organization of a large army, such as is now contemplated, there will be uses for which retired officers above the grade of colonel may be utilized, and also it would be detrimental to the efficiency of such a large force to limit the Volunteer appointments of retired officers to one grade above that held by them on the retired list, for the reason that many retired officers of the grade of captain and below are more competent to fill Volunteer offices above the grade of major than the inexperienced men from whom many appointments for such positions will necessarily be made. It will be necessary therefore, I think, in order to secure, in the organization of a large army under the volunteer act, the unrestricted use of retired officers and enlisted men contemplated by the national-defense act, to repeal section 11 of the volunteer act or modify it in such a manner as to permit the unrestricted employment of retired officers. The same consideration would dictate the repeal of the provision limiting the volunteer appointments of retired enlisted men to grades not higher than that of first lieutenant.

Judge Advocate General.

Mr. SHALLENBERGER. Mr. Secretary, in regard to the number of men to be called, when you first appeared you stated that the total call would be for 614,000 men in the two arms of the service; that is, the National Guard and the Regular Army. Now, some figures have

been given here, 280,000 for one arm of the service, and the difference there would be 334,000. Now, it has been stated that the number to be called is 203,000, and I would like to get those figures straight.

Secretary BAKER. The first figure that was given by Maj. Nolan was the estimate of the number of men within the power of the President to call under the language of this bill, assuming that the President would exercise that power to the full and call all of the increments of the Regular Army. The second figure is the figure which shows the present intention of the department with regard to the exercise of that power.

Mr. SHALLENBERGER. How many do you include for the National Guard in that 614,000 men? In other words, how many men does that leave to be raised in the National Guard?

Secretary BAKER. Maj. Nolan can answer that.

Maj. NOLAN. For the 12 divisions complete it will be 336,000.

Mr. SHALLENBERGER. Of the National Guard?

Maj. NOLAN. Yes, sir.

Mr. SHALLENBERGER. How many will you call?

Secretary BAKER. That is the number. That does not include the 11 increments, but it includes only the one increment for the existing year.

Maj. NOLAN. That is, 12 divisions raised to war strength for the National Guard.

Mr. SHALLENBERGER. How many men would there be if they called them all out?

Maj. NOLAN. Three hundred and thirty-six thousand.

Mr. SHALLENBERGER. Mr. Secretary, in the matter of the exemptions, I would like to ask whether it was considered best to make broad exemptions at the outset, so as to eliminate all men who are married, or extend it only to those with dependents?

Secretary BAKER. It was not intended that the fact of marriage should itself constitute an exemption, but the fact of marriage when coupled with dependence should constitute an exemption. That is to say, if a man, taking a perfectly gross illustration, has an income of \$15,000 or \$20,000 a year and has a wife and one child, that case does not present the difficulty of dependence at all.

Mr. SHALLENBERGER. The reason I ask that question is because the administration of this selection or elimination feature is going to create, I think, a great deal of dissatisfaction. It will be difficult to administer it. The British act first declared that every man of military age should be conscripted into the service, except those who were married six months before the act was passed and widowers with children dependent upon them. Therefore they have eliminated all of that at the very outset, and I wondered if you had considered that phase of it, and whether you have not thought it advisable to do that here?

Secretary BAKER. No, sir; I have not.

Mr. SHALLENBERGER. In the administration of this act and in the conscriptions and selections to be made under it, you do not define any definite policy as to how you will do it. In the British act to which I referred, which is an act longer than this one, they go into all the details of the administration of the act. In other words, the

act itself gives the public notice of what the rights of each man shall be under the act.

Mr. GORDON. Is it left to the determination of the civil courts?

Mr. SHALLENBERGER. It is administered in a general way by the Crown or Government, but it states exactly how the soldier shall be drafted and the people know from the act itself just what their rights are. Now, have you considered whether or not that might be a good thing in this bill?

Secretary BAKER. It was carefully considered, and I would be glad to have the Judge Advocate General state the reason for adopting this plan.

Gen. CROWDER. In all the exemption legislation we have had, including the act of 1792, the act of 1863, the act of 1903, and the act of 1916, we have had but one class of exemptions—that is, legislative exemptions. In the act that is before you we have two classes of exemptions—legislative exemptions and executive exemptions. There are included in the legislative exemptions those classes whose status is determined in such a way that the administrators of this law can take cognizance of that status and eliminate them. There are other classes which are classified as executive exemptions, where a question of fact has to be determined. In the legislation of 1863 the judgment of the board of enrollment provided for in that legislation was made conclusive upon the authorities, notwithstanding which, however, the courts undertook to inquire into the decision of the enrolling boards in granting or refusing exemptions. This bill makes the judgment of such agencies as the President may constitute conclusive upon the questions of fact, so that the courts would not be able to inquire into the findings of fact. There was some question during the Civil War period as to the right of the courts to review the judgment of the board of enrollment on questions of fact, but I take it that since the Chinese-exclusion case and the immigration cases decided by the Supreme Court of the United States there is no longer any question of the right of Congress to delegate to the executive branch of the Government jurisdiction to finally determine questions of fact.

Mr. GORDON. In reference to aliens.

Gen. CROWDER. In reference to anybody whose status is to be inquired into here, like mariners, pilots, etc., that are included here. Now, during the Civil War period, as I have said, the courts went ahead with their inquiries, and the controversy was finally terminated, I believe, by President Lincoln suspending the writ of habeas corpus, thereby saving the execution of the draft act during that period from judicial interference.

Mr. GORDON. But the Supreme Court has held that the act of President Lincoln in suspending the writ of habeas corpus was invalid.

Gen. CROWDER. In suspending the privilege of the writ of habeas corpus?

Mr. GORDON. Yes, sir.

Gen. CROWDER. It remains a controverted question whether the suspension of the right of habeas corpus is an Executive function or legislative function.

Mr. GORDON. The Supreme Court has decided that it is a legislative function.

Gen. CROWDER. I do not think that the latest text writers on the subject so regard the question as authoritatively settled.

Mr. GORDON. The last decision of the Supreme Court so decided it.

Gen. CROWDER. In what case?

Mr. GORDON. I can not cite the case now, but I will get it for you.

Gen. CROWDER. I think the weight of authority is that way, as you have stated.

Mr. GORDON. I can not recall the case now, but it was certainly decided distinctly by the Supreme Court that the suspension of the writ of habeas corpus was a legislative function.

Mr. SHALLENBERGER. General, what I am asking for is information and is not intended as any captious criticism of the bill. I am not expressing any judgment on that. I will not discuss now the right of Congress to delegate this power to the Executive. The question with me is just how far it is best for us to go in that direction. Of course this bill must be passed through Congress, and, as I said before, there will be a great deal of debate over this particular matter. Now, Great Britain is an empire with a king, yet they have not seen fit to delegate this power so absolutely as it is proposed to be done here. They have a specific declaration of law showing what the exemptions are, and when a man appears before the tribunal which determines whether he shall have an exemption or not he has the right of appeal. He has three appeals. I do not mean to go into all of the details of that act, but I simply want to suggest whether you think it advisable for us to attempt, in order to make this bill easier to pass, to define with greater exactness the rights of citizens under this bill than you do here.

Secretary BAKER. I will reply by asking you a question: Does the English law grant an administrative or judicial appeal?

Mr. SHALLENBERGER. That I do not know.

Gen. CROWDER. I think it is an administrative appeal, and that the administrators of the law retain jurisdiction to finally settle all questions of fact.

Secretary BAKER. Is not the answer really this: That there are two kinds of exemptions. One exemption falls into a perfectly definite class which can be foreseen by legislative action, but the other kind involves exemptions that are more or less varying in their circumstances, or they are exemptions involving varying circumstances which some executive officer in constant touch with the national situation will have to deal with.

Mr. SHALLENBERGER. The point I am trying to make is this: Whether or not the War Department could not in this bill go more into detail concerning the administration of this law? Could you not indicate how you expect to administer the law? Can you not arrange it so that a man will not go out and say, "We are absolutely abrogating all of our rights to the Executive." We all know that the general charge in this country is that we are more and more going in that direction, and the question is whether in this matter it would not be better to define exactly how you are to administer this law, and, also, just what a man's rights under it are to be. I merely offer that as a suggestion.

Now, as to the matter of the general officers that was brought up by Mr. Gordon. I see that in the public press it is stated that in

the Senate an amendment has been offered providing for the abolition of the grade of brigadier general and raising all of the officers above the rank of colonel to the grade of major general, and creating the rank of general and possibly three lieutenant generals. Does that have the sanction of the department?

Secretary BAKER. Yes, sir; and I recommended that, I think it will be recalled, to this committee last year, but the committee declined to accept it.

Mr. SHALLENBERGER. Would those major generals draw the pay of major generals?

Secretary BAKER. Some of them would and some would not. There will be two classes of them. You know the history of that is this: The Navy Department got through Congress a bill rearranging its ranks. It abolished the rank of commodore and created the rank of rear admiral in two classes, senior and junior divisions. The effect of that legislation and more recent legislation creating the grade of admiral for commanders of Asiatic, Pacific, and Atlantic Fleets, and Chief of Naval Operations, was to give priority of rank as between Army men and Navy men to the Navy men in practically every instance. My feeling is that the two services ought to be on a parity, and that the ranking officer of the Army and the ranking officer of the Navy ought to be men of equal rank, with the question of priority depending on their seniority in the rank. It is for the purpose of promoting justice, if that is the proper word, as between the two military branches of the service.

Mr. SHALLENBERGER. Is it also to promote the efficiency of the service?

Secretary BAKER. Yes, it undoubtedly has that effect.

Mr. SHALLENBERGER. You do not advocate it before this committee as a matter of meeting the desire of officers or pleasing them?

Secretary BAKER. I do not think that that is a negligible consideration. I think that the feeling in the Army that the Navy was a preferred branch of the service as against the Army or that feeling in the country would be a bad thing.

Mr. SHALLENBERGER. It has been stated that the reason recruiting has been stopped in the National Guard is because there is no equipment with which to supply it.

Secretary BAKER. I do not want to go quite so far as that. I think this is what I did say and it is what I would say now, that the supplies of equipment at present on hand are not deemed adequate for the immediate supply of all of the National Guard contingent if raised at once to war strength, and in view of the fact that our contracts for supplies are in process of fulfillment, it was deemed wiser not to authorize the National Guard in particular States to be recruited up to war strength, and thereby possibly create a shortage in another State where they are recruited only at peace strength.

Mr. SHALLENBERGER. Is it likely to be so that the National Guard is more attractive to the average young man as a place of enlistment than the Regular Army,

Secretary BAKER. I think that is entirely likely, and yet it seems to me to be rather unfair to encourage men to enlist in the National Guard in preference to the Regular Army with the present obligations, both as to length of service and reserve obligations incurred,

if, as a matter of fact, you are now to pass legislation which will equalize the obligations of the National Guardsmen and relieve them of a part of the present obligations which they would have to take.

Mr. SHALLENBERGER. Would you want to prevent the National Guard from filling up its ranks to war strength?

Secretary BAKER. I think that would be an unfair thing, and there is no such intention.

Mr. SHALLENBERGER. I see that in the bill you provide for the appropriation of a lump sum of something like \$3,000,000,000. Is it the intention of the War Department to administer or expend that fund through the different bureaus that have been expending the appropriations?

Secretary BAKER. In effect, yes; but in fact, no; to this extent, that the council of national defense has already created a munitions board, an organization for the purpose of ordering or arranging priorities of contracts and increasing the supply of things that the country will need, and all of the supply purchasing bureaus of the department will act in cooperation and in conjunction with that munitions standard board.

Mr. SHALLENBERGER. I want to say I think certain of the bureaus of the War Department have not been fair with the committee or with the country in giving us information as to the administration of the funds in the past. Now I think the fact we have to stop enlistments in this great crisis because we have not supplies for the men is a direct reflection upon Congress and the War Department and everybody else connected with it, and I say that because when this committee first took up the matter of preparedness in the Sixty-fourth Congress we had the Quartermaster General before us, and it is a matter of record that we asked him diligently and earnestly as to the preparedness of the department in that respect to equip an army, and in reply to Mr. Hay's questions the record will show the Quartermaster General gave us assurance that we had equipment for at least 500,000 men. Then we had this trouble upon the border, and we came here during the short session, and apparently he had no equipment left whatever. When the fact that we were out of supplies was called to the attention of the committee, I read the Quartermaster General the statement of Gen. Aleshire, stating that we had the supplies—and Mr. Anthony will recall that he said he could not have had them.

Then the present Quartermaster General said that he had them, as Gen. Aleshire meant it, or words to that effect; in other words, they had supplies to the extent of a pair of pants and socks and shoes—no; they did not have any shoes—but a very limited amount of supplies for the men. We did not have full equipment or anything like that for the men; and yet this committee was earnestly trying to find out what they had, but we were not properly informed as to that. Now, the question comes to us right now, and we have to stop enlistments on that very account. Now we have come to the matter of the Ordnance Department. We have earnestly sought to supply the Government with a proper amount of small arms, machine guns, and one thing and another, and especially this large, heavy field artillery, of which you have none whatever, and

also anti-aircraft guns. That has been shown constantly in our hearings here. In the matter of the rifles particularly, we got into quite a discussion on the floor about that. It has been repeatedly stated to this committee that your arsenals have a capacity of six or seven hundred thousand rifles a year, and we voted in a prior Congress something like \$5,000,000 of money to be used in the manufacture of small arms, and when we had our hearings at the last short session Gen. Crozier was asked why he had not manufactured any rifles as yet, and his testimony shows that he stated that having got so many millions of that \$5,000,000 employed in the manufacture at his arsenals, etc., he took a part of that money to buy pistols, etc.

I think I am fair in stating, and the record will show, and I believe the members of the committee got the impression—at least, I did—that he was not really using a large part of that money for the manufacture of rifles, the most essential arm with which a soldier fights; and you have stated to this committee that we make the best rifle in the world. Now, we have been three years getting ready for war, and the record of your department shows that we manufactured 66,000 rifles in the three years, with a capacity in our arsenals to manufacture at least 2,000,000, and when we had Mr. Vaucrain before us he said that Col. Thompson, who had the place which Col. Babbitt now holds, told him when they started to make their rifles for the English Army that the Government manufactured these rifles for \$9.50 apiece.

Secretary BAKER. It must have been more than that.

Mr. SHALLENBERGER. That was his statement. He said that he could not make it agree with their experience. Gen. Crozier told us it was more than that. Finally, we come down to this last Congress, when this matter was brought up, and I discovered, upon examination, that 13,000 rifles had been made in the last year. I asked you when you first appeared here the extent of the operation of our arsenals now for the manufacture of rifles. I do not know what you meant to convey, but I think you conveyed the impression to me that we were running at least two shifts in the manufacture of rifles in these arsenals.

Secretary BAKER. I did not mean that. I did not remember and do not now remember, although it may well be that the question was directly related to the manufacture of rifles. I took the question to mean general arsenal operations.

Mr. SHALLENBERGER. You will recall that I was talking about rifles, and I asked you why we should not employ our arsenals in the manufacture of these rifles, which we were the only ones equipped to manufacture, inasmuch as they are the best rifles in the world, rather than to allow our arsenals to be idle a part of the time, and buy this other rifle, which is an improvised thing, and that is what we may have to do, simply because we have not made our own rifles. We discussed the matter of why the Government did not engage sufficient men to run these arsenals, even if it did cost a little more. The other people do not hesitate to do that.

Now, since you have given your testimony I have called up the Ordnance Department, and they tell me they have not made any rifles at all. In the face of all these things, in the last three months, Col. Babbitt tells me, they have made no rifles at all, but they are

restoring or repairing the old rifles, of which they have a number on hand. Now, the point I make is this: So far as I am concerned I have been unable to get the information I think we ought to have given us, or we have not been able to get this money spent as I think the members of this committee believe it should have spent and as, I think, experience is going to show it should have been spent. Take the matter of machine guns. We appropriated enough money in the last Congress to buy about 16,000 Lewis guns, and for some reason there were only about 360 of them furnished, to be used in Mexico, and so far as I know we have not got any of those guns from the English—the Vickers gun—as yet, have we, Mr. Secretary?

Secretary BAKER. No.

Mr. SHALLENBERGER. I call your attention to this fact because it is going to have some determination upon my vote on this matter of turning over this vast sum of money, if it is to be expended apparently without any consideration of the opinions of the members of this committee or practically the instructions of Congress in legislating upon this matter.

Secretary BAKER. Do I understand, as a preliminary question, Governor, that the committee undertook in any way to determine that the Lewis gun was the gun that should be bought?

Mr. SHALLENBERGER. Not at all.

Secretary BAKER. It has only been within the last month, if, indeed, the time has now arrived, when a Lewis gun was actually made which was chambered for American ammunition. The Savage Arms Co. have claimed for a long time they could chamber that gun for American ammunition, and we have all hoped they could. They quite recently sent word that they had succeeded in doing that, and some such guns are now being tested at the Indianhead Proving Grounds.

Mr. CALDWELL. We shot them three or four months ago ourselves.

Secretary BAKER. Unhappily, Mr. Caldwell, just shooting it does not answer the question. The difficulty with a machine gun is not to make a gun which a nonexpert person can shoot under more or less ideal conditions, but to make a gun which will stand service conditions, and the test which is really necessary to determine the serviceableness of an arm of that kind is really a very intricate test. The Lewis gun, for instance—while I do not want to discuss the Lewis gun—

Mr. SHALLENBERGER (interposing). No.

Secretary BAKER. The Lewis gun has a very frail magazine, which deforms very easily, and under service conditions when a soldier knocks his gun against a tree or anything of that sort if he puts a dent in it that puts it out of commission.

Mr. SHALLENBERGER. I did not mean to inquire about the Lewis gun, but as to the manufacture of small arms. I think I gathered the impression, and while I only claim ordinary intelligence I certainly for the three years I have been on this committee have been earnestly trying to get the Ordnance Department to make some effort to put our arsenals at least in operation to manufacture these things which I think experience has demonstrated are essential to a modern army, and which I think you are entirely deficient in right now. In other words, it appears to me as a layman that we have not been

getting ready to fight at all, but doing something else, because we have not been providing the things which are essential in warfare.

Secretary BAKER. Governor, I do not want to go back over a long period of history with which I am only casually familiar, because, of course, I am only casually familiar with the long experience you gentlemen who have been on this committee have had with the Ordnance Department or any other bureau of the War Department. I think it can be conceded that the Ordnance Department has for a number of years been undermanned. It is obliged to not only carry on extensive manufacturing operations, but it is obliged to keep abreast with improvements in the art of arms which have been of unprecedented rapidity, and I suspect instead of there being any particular blame either on the Congress or on the department, the fact is we have all been rather rudely thrown into an entirely new atmosphere of war; one of an entirely different kind from any anybody ever dreamed of or ever heard of before, and that our lack of preparation is simply a part of our having pursued a policy which our traditions and our peaceful aspirations justified until we find ourselves in a world which has changed without our cognizance. That is probably the explanation of it.

I think this committee is entitled to know exactly what the present purpose of the War Department is about the manufacture of arms, about the purchase of arms, the kind of arms we want, and our ability to produce them, our necessity to get them from other people, and an explanation of every departure which has been made from any intention expressed to the committee at a previous time but subsequently departed from. I think you are entitled to all of that explanation, and I have not the least doubt that Gen. Crozier or Gen. Sharpe will be glad to get it for you.

Mr. SHALLENBERGER. Is it not a fact, Mr. Secretary, in spite of all that, that we are put in a position now when we need the arms and for three years have been trying to get this most essential arm, where we are short now any number of rifles?

Secretary BAKER. Governor, my judgment is—of course, I do not know these things and do not know them as well as you do—but my judgment is that the thing which need give us least concern is small arms.

Mr. SHALLENBERGER. Yes; because you are going to buy them from somebody else.

Secretary BAKER. Well, we will get them. But the thing that ought to concern us most and doubtless will cause us the most difficulty in creating a modern army is our shortage in large field ordnance and field ammunition, which it takes a long time to supply.

Mr. SHALLENBERGER. We have had quite a discussion about that, too; but in the matter of the administration of this department we made two appropriations prior to this one of \$12,000,000 for machine guns, and not a cent of it was expended prior to this former Congress; so that, so far as that is concerned, there was no effort made, apparently, to provide that most essential arm; and I finally asked Gen. Crozier directly whether or not they were manufacturing these guns simply for the purpose of buying them from somebody else. He never answered that question, but went on to something else. Now we have finally got to the point where we can not manufacture

them and are going to buy them at an enormous price from somebody else. The same is true with reference to the rifles. We have the best facilities for making them, and we made the best ones, and we ought to have the best ones for our soldiers to fight with; and yet we are going into a war, as the French did, against the Germans with an inferior rifle.

Secretary BAKER. I would not like to be deemed to assent to that.

Mr. KAHN. Mr. Shallenberger means in the Franco-Prussian war of 1870.

Mr. SHALLENBERGER. I mean that it is considered that one of the principal reasons why the French lost the war of 1870 was because they did not have as good rifles as the other army; and this rifle we are going to get is not as good as the Springfield, I understood you to say.

Secretary BAKER. I did not mean it was substantially a less effective weapon. It is not regarded as being as mechanically perfect as the Springfield, but its range is substantially as great. Governor, on the subject of machine guns, which is a large part of the instance you have used to illustrate your argument, I would be very glad to have the committee know exactly what I did with the money you appropriated, because I think I have done what the committee would have done in my place and what it would have wanted me to do if it had been in constant consultation with me. Immediately that appropriation was available I inquired to find out how many kinds of machine guns there were in the world and what the European experience with machine guns had been, and I discovered that there were two types, heavy and light; that the common opinion of all informed persons was to the effect that the Vickers-Maxim machine gun was the best machine gun yet devised by human ingenuity. It is of the heavy type.

There was a very great diversity of opinion as to the relative excellence of light machine guns, and I therefore appointed a board, which was not in any sense under the domination or even, as far as I can imagine, under the slightest influence of the Ordnance Department. I took the question out of the Ordnance Department, as it were, and put two civilian experts on the board, men of great responsibility in the country. They went into the question very thoroughly and made a report in which they said they were able to agree with the general verdict on heavy machine guns, and advised the expenditure of the entire sum of money which you had appropriated for heavy machine guns. I declined to accept that suggestion, but I ordered, as I remember, about 4,000 heavy machine guns, and kept \$1,500,000, which could be used for the immediate purchase of light machine guns in the event of their being urgently needed; and I directed that a test be made on the 1st day of May, when I was told by at least three entirely responsible persons who have not yet had a known light gun that they were just on the point of perfecting a gun which they thought better even than the Lewis gun. The Lewis gun, in the meantime, was to be perfected by the 1st of May for using American ammunition, so it could go into the competition.

On the 1st day of May that test will take place. There will be entered in the competition not only the Benet-Mercie, which has been under some discussion, but the Lewis gun and two or three arms of

which the names have not been publicly known, all of which are said to be very promising arms. We will have, as a result of that test, full knowledge of the best that has yet been devised in light machine guns. However, when this emergency became more pressing the Savage Arms Co. sent me word that they had perfected their light gun, and Gen. Crozier came to me personally and told me that the Savage Co. was the only company in this country at present organized for quantity production of such guns, and that he thought they ought to be encouraged to retool their factory so as to enable them to produce large numbers of light machine guns. I gave him the authority to order, out of the \$1,500,000 reserved for that purpose, as many Lewis guns as we could, and to promise the Savage people on the faith of anticipated appropriations by this committee large orders for Lewis guns if they would retool their factory and get ready for quantity production, and I have no doubt the Savage Co. is now perfecting its factory or retooling it and regauging it so that in a short time we will have large numbers of light machine guns, if you make the appropriations, and will have a perfectly adequate supply of light guns from that source alone, and even though the May test does not develop a better arm we will have a plentiful supply of Lewis guns from the Savage Arms Co. by the time we get an army which is at all ready to use them.

Mr. SHALLENBERGER. But is it not a fact, Mr. Secretary, that these heavy guns you ordered will not be available for a great time yet?

Secretary BAKER. Not a great time. The contract does not require their delivery before the 1st of July. We will not in any event have occasion to use them before the 1st of July, and even if we had there is no place from which we could have gotten them any earlier.

Mr. SHALLENBERGER. Of course, I did not want to go into a discussion of that matter, but the price of those guns is \$2,700. We were told by the Ordnance Department that the tripod on which that gun rests costs \$250. Now, the Colt people make a tripod which serves every purpose that the other tripod serves, and there must be very little difference in cost because both of them are simply made of manufactured steel, and I see that under your present board you are buying steel at something like $3\frac{1}{2}$ cents a pound.

Secretary BAKER. 2.9 cents.

Mr. SHALLENBERGER. The other people furnish the tripod with the gun, and there was a tripod which was manufactured for the Lewis gun, and I asked the officer who demonstrated the gun what the cost was, and it was something under \$50, according to my recollection. I know it was a low sum compared with what was asked for the other. The gun which you have purchased contemplates seven pack outfits, five mules for each battery, and \$750 to be expended for those pack outfits, which are not used in the European war, if that is where we are going to fight; 85,000 mules to transport the heavy guns into action, and I am further informed by men who have had experience that these heavy guns are not taken into the trenches at all but are used in fixed fortifications or fixed entrenchments, etc. In other words, the general feeling I have about the matter is that I would like to know before I vote for an appropriation of \$3,000,000,000 of money, whether you have any advisory body on the outside to determine how this money shall be spent other than the men who have been spending it in the past?

Secretary BAKER. Yes; the purchase of these particular heavy machine guns to which you refer was recommended by this board of experts, with two civilians on it, one of them the head of the Pratt-Whitney Machine Toolmaking Co., of Hartford, Conn., not himself interested in any way in the production of the gun, and the other, Mr. Bascomb Little, a man from Cleveland, a manufacturer, a capitalist, a man of trustworthy character and large experience in manufacturing matters. They went into the question of price and recommended the price as a proper one. Just before that order was given, after it had been determined by the board that the gun should be purchased, I received word from the manufacturers of the gun that the price of materials having gone up they would have to increase the price that was offered.

Mr. SHALLENBERGER. I do not doubt that.

Secretary BAKER. I declined to make any purchases on that basis, and said we would not buy any machine guns under such circumstances, and they thereupon accepted the original price.

Mr. SHALLENBERGER. Mr. Secretary, you indicated that you had notified these men that you would not suffer them to raise the price to the Government. Have you any bill in contemplation, also, that would punish men who attempt to inflict that sort of price on the Government, or to take that advantage of our necessities?

Secretary BAKER. I have no such legislation in view and none is necessary, in my judgment, because at the time I was dealing with that situation we were at peace, but we are now at war, and the provisions of the national defense act cover that question of price.

Mr. SHALLENBERGER. I would like to ask one more question. That provision in the national defense act is, of course, a new thing, and I did not know whether it would be sufficient or all that would be necessary. Do you feel that it does sufficiently empower you in that regard?

Secretary BAKER. I think the powers there given are entirely adequate. They are so far as I know.

Mr. CALDWELL. I want to get those figures grouped together. I have not been able to get them through my head, or to determine just how many men will come into the various branches of the service.

Secretary BAKER. Maj. Nolan will give you the figures.

Mr. CALDWELL. As I understand it, the Army reorganization act or national defense act provided for the increase of the Regular Army by a certain amount in four or five increments.

Secretary BAKER. In five increments.

Mr. CALDWELL. In five increments. Now, we have already had one of them, and the figures that I would like to have are, first, the number of men they would have to provide if they took all five of the increments.

Maj. NOLAN. Two hundred and eighty-seven thousand men.

Mr. CALDWELL. And the department now intends to call 203,401 men?

Maj. NOLAN. That would be, with one more increment, up to war strength.

Mr. CALDWELL. That would be 203,401 men. Now, how many men do you calculate would be required if the authorities provide

that the National Guard be recruited up to the 800 for each congressional district or for each Representative in Congress? How many men would be required altogether?

Maj. NOLAN. At peace strength about 440,000.

Mr. CALDWELL. At war strength?

Maj. NOLAN. I can not give you that figure, but I will put it in the record.

Mr. CALDWELL. How many of the National Guard do you expect to call out, Mr. Secretary? Do you expect to call all that are authorized, to the full extent, or do you expect to call only those now armed and equipped, or who have been on the Mexican border?

Secretary BAKER. We will call out all the National Guard that is recognized—that is, those having brought themselves into the relationship of recognition to the Federal Government under the national defense act, and raise it to war strength, without the addition of the prospective increments.

Mr. CALDWELL. How many will that be?

Maj. NOLAN. 336,000.

Mr. CALDWELL. And then, in addition to that, do you expect to call the 500,000 men that you expect to get by conscription at once?

Secretary BAKER. As soon as it can be done conveniently, which, of course, means after the registration has been perfected, the camp sites prepared, and all the necessary preliminary things done.

Mr. CALDWELL. You stated, I think, in answer to some of my questions that the only reason you did not want any more national guardsmen now was because you did not have the supplies for them—is that right?

Secretary BAKER. I said that to the extent that recruiting to war strength had been disapproved or discouraged, it was. When that proposition was made our supplies did not seem adequate to cover all of the increment of the National Guard raised to war strength.

Mr. CALDWELL. If you have not enough supplies for all of the National Guard how will you supply these other troops?

Secretary BAKER. By contracts for purchases and deliveries already in process.

Mr. CALDWELL. Could not the contracts for purchases and deliveries already in process take care of the requirements of these National Guard men?

Secretary BAKER. Undoubtedly; and they will take care of them, as well as the men we call out under conscription.

Mr. CALDWELL. Have you found that you have been getting enlisted men in the National Guard faster than you can equip them?

Secretary BAKER. I did not say that, because we have not taken note of that. The question has arisen in this way in the department: The governors of certain States have sent word down here that they would like to raise their National Guard to war strength by immediate recruiting, and we have said to them, "Do not do that now for the reason that our supplies might not be sufficient to cover all of the National Guard raised at war strength throughout the country at the present moment, and for the second reason that Congress is still to make the military policy of the department, and that our recommendations to the department affect the obligations of the national guardsmen, and we think that it would be wiser for all

the men to come in on the same terms, rather than have some coming in with a hangover period of reserve obligation."

Mr. CALDWELL. Is it not true that the real basis of the proposition is that you would rather have the men, all of them, to come in under the scheme calling for 500,000 men than to have any National Guard at all?

Secretary BAKER. No, sir; that is not the fact.

Mr. CALDWELL. Now, do you find that the National Guard man is a good soldier? Do you think he would make as good a soldier as these other people?

Secretary BAKER. When equally trained, yes.

Mr. CALDWELL. My attention has been called to the fact that we have had an offer of about 500 men at one of the armories in New York State, but they were unable to take those men because the department's letter of April 5, or the department's order of April 5, 1917, prevented it. Now, don't you think that the retarding of these enlistments is a bad thing for the Army?

Secretary BAKER. No, sir; I do not think so.

Mr. CALDWELL. I want to ask you two or three other questions; or, I think, perhaps, they should be directed to the Judge Advocate General. Gen. Crowder, section 12 of the proposed bill provides that all laws and parts of laws in conflict with the provisions of this act are hereby repealed. Now, there are many provisions in this act that are contrary to the provisions of the national defense act, are there not?

Gen. CROWDER. Yes.

Mr. CALDWELL. If we should pass this bill just as you have it written, and these provisions of law are repealed, when the emergency is over the national-defense act will have to be reenacted.

Gen. CROWDER. To avoid that we can change the phraseology of section 12. There is no intention to do anything more than to suspend those provisions.

Mr. CALDWELL. So that instead of saying they are hereby repealed, you will say that they are suspended during the term of the existing emergency?

Gen. CROWDER. Yes.

Mr. CALDWELL. That would be satisfactory.

Gen. CROWDER. The language ought to be unmistakable, because there is no intention to repeal those provisions of law. Worded as it is, it might wipe out that statute.

Mr. CALDWELL. Will you prepare a clause that will remedy that and put it in the hearing?

Gen. CROWDER. Yes.

(The matter submitted is as follows:)

SEC. 12. All laws and parts of laws in conflict with the provisions of this act are hereby suspended for the period of the emergency.

Mr. CALDWELL. Now, what use do you expect to make of the local civilian officers? For instance, what use do you expect to make of the mayors, sheriffs, and officials of that kind, in the matter of the registration? Have you any plan in mind covering that, or do you want to define any plan by which that work would be done?

Secretary BAKER. The governments of the subordinate political divisions of the States differ so much that it was deemed difficult to

select out an agency and name it, because in some of the States such duties are performed by certain officers while in some other States they are performed by different officers. Therefore a blanket provision was put in that would enable us to use whatever agency was best adapted to the service proposed.

Mr. CALDWELL. Would you object to that provision being changed, and instead of requiring these civilian officials, or State and city officials to be used, simply permit the use of them?

Secretary BAKER. I think that would be a vital matter. I think we must have power to execute these provisions, and it must not be a question of inviting people to help, and then being helpless if they did not.

Mr. CALDWELL. Why don't you make your call for 280,000 men in the Regular Army instead of limiting it to 203,401?

Secretary BAKER. Because it was thought that if the full five increments were taken into the Regular Army so much of the time of the men in the Regular Army would be consumed in training the recruits in that branch of the service itself that it would be difficult to spread the training battalions of the Army to the other forces that are to be raised.

Mr. CALDWELL. We have got to train the new men that come in, no matter how they come.

Secretary BAKER. Exactly.

Mr. CALDWELL. Would it take any longer, because the same officer would do the training?

Secretary BAKER. The Regular Army contingent to the extent that they already exist, if not diluted by too many raw recruits, will need less training at the outset than these other forces.

Mr. CALDWELL. These people would be training the untrained forces.

Secretary BAKER. They would train the forces not already trained.

Mr. CALDWELL. You have in here a provision that these cadres can be transported around from place to place.

Secretary BAKER. Yes; we will find it difficult to transfer them from untrained forces to other untrained forces.

Mr. CALDWELL. It will be easy to transfer them from one trained force to another trained force.

Secretary BAKER. No; if we had two trained forces it would be easy.

Mr. CALDWELL. If you brought men into the Regular Army and took them in for training, then you could send them wherever you pleased?

Secretary BAKER. Yes; that is what the bill does. Instead of putting them in the Regular Army and making up the five increments, they can be put in the additional forces and trained. This gives us power to transfer them.

Mr. CALDWELL. The only difference between calling them under draft and under enlistment is that one would be a volunteer and the other an enlisted man, because certainly they would be given the same training by the same men.

Secretary BAKER. It may be possible, but I would like to make this general answer to the drift of your question rather than to the question itself. The effect of not calling out the additional increments

of the Regular Army upon the total number of vacancies to be filled by volunteers was not considered. It never occurred to me that that question was involved.

Mr. CALDWELL. Now, you stated, in answer to a question, the other day that you objected to taking men from the farm; that you could not afford to do that, because they would be needed. I do not remember the words used. Now, is it not a fact—I know it is from my experience as a farmer boy—that the average farmer boy stays on the farm until he is 21 and then goes away?

Secretary BAKER. That has been one of the unhappy incidents of our industrial civilization in the last 20 years.

Mr. CALDWELL. But if you draft the farmer boys at the age of 19, you will take the farm hands away, but you will not take the farm hands away at the age of 21 in any such proportion.

Secretary BAKER. According to the law of chances, we would get one out of five on the farm, but we would get one out of four of those who left the farms for the city.

Mr. CALDWELL. When you begin to draft them from the farms, or when you take them at the age of 19, you will get a larger percentage from the farm than if you should take them when they are over 21.

Secretary BAKER. I am inclined to think that is so, and, as a matter of fact, it may be necessary for Congress to enact some kind of industrial legislation that will take care of the food situation in this country. I do not want to make any forecast or to scare anybody about it, but that may be one of the things ahead of us.

Mr. CALDWELL. Yesterday, or at the last hearing, I believe it was, in mentioning the reasons why you asked for a lump-sum appropriation of this sum of approximately \$3,000,000,000, you said that you wanted the greatest latitude in the matter in the use of this money; that you wanted to get it in the form of a lump sum so that if you decided to-morrow that what you thought to-day was not right you could use it to-morrow for what you thought was right. Now, most of this money has been apportioned into schemes for which you have the details, has it not?

Secretary BAKER. Yes.

Mr. CALDWELL. And it has been the subject of considerable study in the department?

Secretary BAKER. Yes.

Mr. CALDWELL. This is for the purchase of such material and for the payment of such salaries as you believe absolutely necessary to take care of an army of this size and equip it so it can get away?

Secretary BAKER. The only part of your question that I would hesitate would be that it was absolutely necessary. I do not mean that the estimates which have been prepared have been limited to the absolute necessities. There has been a desire to provide a sufficient sum—

Mr. CALDWELL (interposing). And you are in doubt as to how much?

Secretary BAKER. I would rather have money left over at the end than to need it in the middle.

Mr. CALDWELL. Don't you think that your purpose or desire for getting a flexible sum would be better or more certainly provided for if we provided a sum of money for the different bureaus of the de-

partment, just as we have been in the habit of doing in the appropriation bills, and then provided an additional sum of money running into the millions that might be used to increase the amount of any one of the items appropriated for, or to take care of any new matter that might come up for which it might be found necessary to make provision? The idea I have in mind is this: I believe that in time of war, and we are now at war, all of the resources of the country ought to be there, but we must bear in mind that the Congress of the United States is responsible to the people for the public money, and I feel that we ought to have something by which we can show the people what we are appropriating money for.

Secretary BAKER. That is entirely agreeable. Of course, the question of detail in legislating for the control of an army is always a question, not of principle, but of practical application. For instance, if this committee were to undertake to make a sufficient appropriation for travel, or to meet the expenses of travel in the Army, you would still have to leave to executive discretion the determination of the necessity of a particular officer's trip at a particular time. You could not follow it into all of the details. It is a question of just how much detail you shall undertake to make by legislative enactment. So far as the amount of information you should have is concerned, you ought to have all that we have, but the question of how far you are to put inflexible legislative limitations upon appropriations is a question of judgment. My own experience has been that of an executive. All of my experience has been on the executive side, and my experience as an executive has been that every limitation of that kind tends to inflexibility. Therefore, my belief about all appropriations is that they ought to be in lump sums based upon estimates as to details, and covering as far as the legislative mind cares to go all of the purposes. The net result ought to be to establish a relationship of good faith between the executive and legislative branches, the executive showing the legislative fully what he proposes to do, and then, when he comes to give an accounting, showing in full what he has done.

Mr. CALDWELL. That answer would be an absolutely complete and satisfactory answer to my mind were it not for the unfortunate fact that this committee has been treated to a very remarkable demonstration of the fact that we do not get what we think we are going to get and what we think we ought to have. We have appropriated money to get what we have been led to believe we ought to have, and then they have come in with perfectly new matter in the way of small arms. I refer to the matter of rifles. It seems to me that it has been a most deplorable failure on the part of the men who had charge of that matter in carrying out the wishes of this Congress.

Secretary BAKER. I hope that you will take that question up just as frankly with Gen. Crozier.

Mr. CALDWELL. We have done that, and you will find in the hearings that we have been just as frank with him and perhaps a little harder on him than I have been with you.

Secretary BAKER. My personal knowledge of this, of course, is comparatively limited.

Mr. CALDWELL. I have done that because it seems to me he is the man who is on the firing line, so to speak, but it seems to me it is our

duty at this time to call the attention of the executive head of the department to the fact that this has been woefully and deliberately carried out, contrary to the wishes of a great many men on this committee.

Secretary BAKER. And yet, of course, it is wholly inconceivable that the Chief of Ordnance has done anything in that connection from any other motive than preparing the Ordnance Department to meet the calls upon it in the best way he possibly could.

Mr. CALDWELL. Of course, I do not question his good faith in the matter, and I do not question but what he is a very patriotic and efficient soldier, but the question here is that the legislative branch of this Government is responsible to the people for certain things, and we have been trying to meet that responsibility; and we have been unable to discharge our responsibility because the man who has had charge of doing the things we have authorized him to do and practically directed him to do has not done them. That is the point I wanted to call to your attention.

Secretary BAKER. I am very glad to have your comment on it, and I will call it to Gen. Crozier's attention.

Mr. CALDWELL. Now, it seems to me the question of who shall be in charge of our factories is a question that ought to receive very serious consideration at this time. We need military officers in the field, and our country is full of highly skilled manufacturers and men who have been actually making for foreign governments at a great profit the things that we will now require. Now, why would it not at this time or during this emergency be good judgment for us to call on some of the superintendents of these great factories and bring them here and put them in charge of our munition factories during this time?

Secretary BAKER. I have considered that question a number of times. It has been suggested to me that civilian management of our arsenals would probably be an improvement upon military management, and I confess I approached the question with some prejudice in favor of civilian management, but as a result of investigation I came to the other conclusion. It is a very striking thing that in spite of the fact that our arsenals are very often filled with machinery of very great age and out of date as to being up with modern factories, nevertheless every article which is made by an Army arsenal for the Army is made at a lower price than by private manufacturers and is at least of even excellence with the best you can buy outside.

Mr. CALDWELL. And yet we can not make those men run those plants three shifts a day continuously, although the private plants find that it is economical to do so, and we can not make these people make the material that we need and know we are going to need.

Secretary BAKER. Now, Mr. Caldwell, there is this reason for that: I have been urging Gen. Crozier, ever since you last met, to put three shifts in the arsenals, and Gen. Crozier has repeatedly expressed his willingness to do it and his desire to do it, and we have been trying to find skilled mechanics to do it with. The Department of Labor has been asked to assist, the Civil Service Commission has been asked to assist, and arrangements have been made by which the War Department is to pay the travel expense of men from other parts of

the country so that we can get them to the arsenals and build up the necessary trained personnel to do this work.

Mr. CALDWELL. I do not know anything about how the arsenals are run, because I have not visited them, and perhaps it would not be fair to point out the condition in the navy yards, but I call your attention to this situation: In the Brooklyn Navy Yard there is sent out practically every two or three days a statement that they can not get men enough, and yet when we send skilled mechanics there they will not even put them on a calling list, and for three or four months at a time they lay off men on the ground that they have not work for them to do when the yard is teeming with work. It seems to me if we had an officer who really wanted to turn out the product we ought to be able to employ all the men that wanted to be employed, or else they ought to stop saying they need more men than they have.

Mr. GORDON. Of course, that is an administrative function with which the Secretary is perhaps not familiar.

Secretary BAKER. I have visited personally every Government arsenal—not every one, because there are one or two small ones which I have not seen. I have visited them as a civilian, and I can assure you that pride of performance in the men who run those arsenals is very great. I have been quite delighted with the spirit they show about it.

Mr. CALDWELL. On page 10 the paragraph which is not numbered provides “all voluntary enlistments shall be in the Army of the United States,” etc. Would it be desirable or undesirable to put in there a clause providing that until the various branches are filled up, the person enlisting or drafted might choose the branch of the service he is to enter?

Secretary BAKER. That is certainly agreeable to me as between the National Guard and the Regular Army.

Mr. CALDWELL. No; I mean as between the Artillery, the Cavalry, the Aeroplane Service, or anything of that kind.

Secretary BAKER. I think that would be very undesirable.

Mr. CALDWELL. That would allow a man to go where he wanted to go.

Secretary BAKER. I think it would be undesirable to let him choose.

Mr. CALDWELL. Why?

Secretary BAKER. There are certain branches of the service, Mr. Caldwell, that are particularly popular, and we have great difficulty in filling others. I do not think all the first men who come in ought to be able to choose the one that offers a spectacular service, like the Aviation Service and Cavalry, where the men ride on horseback and do not have to walk, and a lot of other things that are regarded as preferential among the men. I think when we ask a man to enlist and to serve his attitude ought to be that those who know best can assign him to his post.

Mr. CALDWELL. Gen. Crowder was kind enough to give me this letter of April 5, and I would like to ask the Secretary if he will ask Gen. Crowder to write the Secretary an opinion, not us, as to how much of that was authorized by the national-defense act, in order that any errors in it may be corrected?

Secretary BAKER. I will be very glad to do that.

Mr. CALDWELL. My idea is I would like to have that order modified in accordance with the statute.

Secretary BAKER. I will be glad to look into the matter. I have broken a great many laws, lately, but I have not consciously broken this one.

Mr. GREENE. Does that order appear in the record?

Mr. CALDWELL. I will put the order in the record.

(The paper referred to follows:)

WAR DEPARTMENT, MILITIA BUREAU,
Washington, April 5, 1917.

From: The Chief, Militia Bureau.

To: The adjutant general of all States (except Nevada), the Territory of Hawaii, and the District of Columbia, and to all inspector instructors.

Subject: War Department policy as to new National Guard units.

1. The laws under which the National Guard exists contemplate the following conditions:

(a) Home rendezvous with suitable armories.

(b) A fair amount of permanency of personnel, which is to be drawn from the immediate vicinity where the organization is located.

(c) The probability that the organization will be maintained for a period of years—kept alive by reenlistments and acquisition of recruits.

(d) Weekly drills at the armory.

(e) Development of a force, equipped and partially trained in time of peace, which can be called upon for a certain class of service in time of emergency.

2. The National Guard idea does not extend to and embrace the organization of entirely new units, with no armories, no grouping of personnel according to localities, no probable permanency of existence—upon the eve of or after the beginning of hostilities.

3. The law authorizing the National Guard is designed to give Federal aid to States, and assistance and a certain amount of supervision from the Federal Government, in the organization and training of National Guard troops in the various States, with a view to providing the States with a suitable military force for emergency use, the Federal Government retaining the right to call the National Guard into United States service when necessary.

4. In a situation in which the Nation is face to face with a crisis, and the Regular forces (Army and Navy), plus the National Guard, are unable to meet the situation and give all the protection necessary, and more troops are needed, the law does not contemplate that the Federal Government shall then call upon the State to form more National Guard troops, in order that they may be called into Federal service. The laws place this responsibility of organizing more troops for strictly Federal use upon the Federal Government, where it properly belongs. Both from the standpoint of justice to the States and of efficiency of the forces, the Federal Government should have the duty and the responsibility of organizing all forces additional to the National Guard after the guard has been called into the United States service. Therefore the fixed policy of the War Department will be as follows:

(a) No new National Guard units will be recognized which do not have—

1. Suitable armories.

2. Personnel grouped by locality, so as to insure the possibility of attendance at drill.

3. Probable permanency.

(b) No new units will be authorized in addition to those needed to complete the divisions outlined in orders from the War Department and such army corps troops as may hereafter be designated.

(c) State authorities and National Guard officers should concentrate their energies and attention upon organizing, properly equipping, and training their existing organizations and recruiting them up to maximum strength authorized.

5. This policy should be made clear to all concerned without delay.

WM. A. MANN,
Brigadier General, General Staff.

Approved:

NEWTON D. BAKER,
Secretary of War.

Mr. CALDWELL. Mr. Secretary, if you do find it necessary or desirable to write a new order, will you send us a copy of the new order?

Secretary BAKER. Yes. You will get all orders hereafter. I have given an order to the Adjutant General to send you all orders.

Mr. McKENZIE. Mr. Secretary, I have just two or three very brief questions in connection with the section of this bill providing that the bureau chiefs in the War Department shall have the rank of major general. I would like to ask you, Mr. Secretary, if the amendment proposed in the Senate should be adopted, providing for the abolition of the rank of brigadier general and the creation of the rank of major general, senior and junior grade, whether or not the effect of that will be to give to all the bureau chiefs now in the War Department the rank of senior major general and the men in the line the rank of junior major general?

Secretary BAKER. I can not answer that. What would be the effect of it, Gen. Crowder?

Gen. CROWDER. The effect would be that two bureau chiefs out of eight would get the rank of major general (senior grade), and the remainder would go to the line, and thereafter they would be distributed automatically as rank determined their position in either the upper one-third or the lower two-thirds.

Secretary BAKER. Then, the answer to your question, Mr. McKenzie, is that the effect of that would be to give two existing bureau chiefs the rank of major general (senior grade) out of a total of eight.

Mr. McKENZIE. I read an article in the newspapers this morning to the effect that there would be created a board, known as the munitions board, which possibly would require the addition of a new cabinet officer in the event the board of munitions should be created, and, naturally, it would require an extra bureau chief to handle that part of the military activities of the country, and in so doing he would also have the rank of major general under this proposed bill?

Secretary BAKER. Yes; if it were made an official bureau of the War Department; but the munitions board which is referred to in this morning's newspapers as being announced by the Council of National Defense is a board presided over by a civilian, Mr. F. A. Scott, and is not a military board at all; and, so far as I know, there is no intention on anybody's part—I have not heard the question discussed—of asking Congress to authorize an additional Cabinet officer.

Mr. McKENZIE. This bill provides, as I understand it, that there shall be no reduction in the period of enlistment of any man who may be in the service when this act becomes operative. Will that affect men who are enlisting to-day or men who enlisted yesterday or who will enlist to-morrow under the inspiration of going to war; will they be held for the six or seven years?

Secretary BAKER. I hope, Mr. McKenzie, you will add here a provision that all enlistments which have taken place since the 1st day of April will be construed to be under this act, because I have been trying to prevent enlistments for exactly that reason; that is, at least, I have not encouraged recruiting for exactly that reason.

Mr. McKENZIE. I am glad to hear you say that, Mr. Secretary, because, to my mind, that is absolute justice.

Mr. CALDWELL. Mr. Secretary, in our organization act of June 3, 1916, we provided an extremely low limitation upon the Aviation

Service. Does this bill contemplate changing that in any particular so we could, if we find it necessary, have more fliers than this reorganization permits and permit the War Department to do that?

Gen. CROWDER. It does not, although there will be some such legislation offered.

Mr. CALDWELL. Do you not think it would be a good plan to do that, because we have limited the number of men who can go into the Aviation Service?

Secretary BAKER. As I told you the other day, we have been going over, in the War Department, a very large number of suggestions which have been made from time to time and trying to eliminate all those that were deemed relatively unimportant, and present in the form of a comprehensive bill all the things in regard to the present establishment which we thought ought to be changed, and in another bill that object is to be accomplished, but the bill under discussion does not affect that unless it should be covered by the provision which authorizes the President to enlist special or technical corps. It may come in there.

Mr. SHALLENBERGER. Do I understand you have another bill immediately to follow this one having to do with the details of the organization of the Army?

Secretary BAKER. Another bill which you may be asked to consider in order that you may instruct your representatives upon the conference committee upon the pending appropriation bill; or you may be asked to consider it as a separate bill. I am desirous of meeting your convenience about the matter. It probably has 40 sections in it affecting all kinds of things about the Army.

Mr. SHALLENBERGER. Does that bill go to the Appropriations Committee?

Secretary BAKER. I do not think it calls for any appropriation, Governor. I do not remember that it involves the question of appropriation at any point.

Mr. SHALLENBERGER. I was told by one of the clerks that the bill appropriating the money asked for here had been referred to the Appropriations Committee.

Secretary BAKER. That appears in the Congressional Record.

The CHAIRMAN. Not the bill, but the estimates which were submitted.

Mr. SHALLENBERGER. We are supposed to appropriate the sum asked for in this bill, are we not?

Secretary BAKER. I do not know. That is a jurisdictional question and is a House question and not a departmental question.

The CHAIRMAN. The estimates only were sent to the Appropriations Committee because the Secretary of the Treasury called it a deficiency appropriation. I do not know why that was done. I have been unable to understand how there could be a deficiency in something that did not exist.

Secretary BAKER. I hope the committee will understand that the War Department had nothing whatever to do with the reference of that estimate to any particular committee.

The CHAIRMAN. I am quite sure of that.

Mr. WISE. Mr. Secretary, most of the questions I wanted to ask have already been asked and answered except perhaps two or three.

As I understand it, paragraph 5 of section 1 is to maintain all the forces provided in this bill?

Secretary BAKER. Yes, sir; that is right, Mr. Wise.

Mr. WISE. That is, the Regular Army, the National Guard, and the additional forces?

Secretary BAKER. Yes, sir.

Mr. WISE. And after the passage of the bill and after these forces are called into the service, there will not be any further voluntary enlistments.

Secretary BAKER. Yes; that is right, as I understand it; that is to say, after this bill goes into effect, the first thing will be to raise by volunteering the necessary number of men to complete the National Guard and Regular Army at war strength. When that is done, volunteering ceases.

Mr. WISE. That is, war strength of organizations which are in existence now.

Secretary BAKER. War strength of the force to be called as contrasted with peace strength; and after that volunteering ceases, and the wastage in those contingents will be supplied by draft.

Mr. WISE. In section 2 or section 3—

Secretary BAKER (interposing). Section 3 is the one you decided to leave in.

Mr. WISE. They both have the same language, and provide:

That the enlisted men required to raise and maintain the organizations of the Regular Army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States, etc., shall be raised by voluntary enlistment.

Why use the words "shall be maintained by voluntary enlistment"?

Secretary BAKER. That looks like an inconsistency to me. I do not know.

Gen. CROWDER. Because it was intended to let volunteers go to these recruit training units, and the volunteering experiment would continue as long as it was successful. If it raises the Regular Army to war strength and the National Guard to war strength it could go on for the purpose of filling these training units.

Mr. WISE. But if you operate under paragraph 5 of section 1 you provide for maintaining all the forces provided in this bill by draft, and then in the very next section you provide for maintaining the same forces by volunteer enlistment. Now, under which section are you going to operate?

Secretary BAKER. I think that is inconsistent. The provision of paragraph 5 is to draft them.

Gen. CROWDER. Voluntary enlistment as far as practicable and then by draft.

Mr. WISE. But you do not say that.

Gen. CROWDER. It says that in the first section.

Mr. WISE. In sections 2 and 3, where the language is the same, the language is:

That the enlisted men required to raise and maintain the organizations of the Regular Army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States, at the maximum legal strength as by this act provided, shall be raised by voluntary enlistment.

Now, it seems to me you have two methods of maintaining those organizations. In one case anybody could volunteer after the Regular Army and the National Guard had been raised to war strength, and under paragraph 5 all volunteering would then cease, and they would be maintained by draft.

Gen. CROWDER. I think the inconsistency is more apparent than real and arises from considering the verbiage rather than what is going to happen in the execution of the act.

Mr. WISE. It would mean a good deal as to when volunteering under this act would cease.

Gen. CROWDER. Let me explain the idea that is in my head, and then see how erroneous it may be. The theory of the bill is that in raising the Regular Army and the National Guard to war strength it shall be done by volunteering to the extent practicable, and where volunteering fails it shall be supplemented by draft. That provision seems to be perfectly plain, I suppose, in the mind of everybody. Now, let us take the actual execution of the act and suppose the volunteering produces all the men necessary to raise the Regular Army to war strength and all the men necessary to raise the National Guard to war strength, and a surplus. Do you conceive there is any objection under this bill to training that surplus in the reserve units or the recruit training units so established?

Mr. WISE. Where do you say anything in here about doing that?

Gen. CROWDER. I can see no inconsistency.

Mr. WISE. I understand you could do that, but where is there any authority here for it?

Secretary BAKER. If I may interject an answer here, because I think I see the daylight in it, the draft, in Judge Crowder's opinion, is supplementary to the provisions of section 3, which authorizes maintenance by the volunteer system, and the provision of paragraph 5 of section 1 is to be regarded as supplementary.

Mr. WISE. But you have a specific declaration here that it shall be maintained in a certain way.

Secretary BAKER. Well, you have two declarations, one is that volunteering shall organize and maintain them, and the other is that the draft shall do it, so that in Judge Crowder's opinion there is no inconsistency, because the draft is regarded as a supplement.

Gen. CROWDER. The real question is whether the law forbids training in these recruit training units any surplus produced by volunteering?

Mr. WISE. My inquiry was as to whether the sections do not conflict. One says they shall be maintained by draft, and the other says that they shall be maintained by voluntary enlistment.

Mr. CRAGO. May I make an observation here which I think will clear up the matter? The section which is referred to only applies to the drafted force of 500,000.

Mr. WISE. No; the Secretary says it applies to all the forces.

Mr. CRAGO. I think it does not. Then section 2 applies to how the Regular Army and the National Guard shall be kept up, and even after they are organized. I take it they can volunteer.

Mr. WISE. The language of the fifth paragraph of the first section is "to raise by draft, organize, equip, and officer, as provided in the third paragraph of this section."

Mr. CRAGO. And the third paragraph only applies to the 500,000 men and not to the Regular Army.

The CHAIRMAN. I think Mr. Wise is right about that. If you strike out the words in the fifth paragraph of the first section "in addition to and for each of the above forces," that would meet the objection, would it not?

Secretary BAKER. I hardly think so. You leave "such forces" in below there.

Gen. CROWDER. That would not change the meaning of the section because of the language which immediately follows, "as he may deem necessary for the maintenance of such forces."

Secretary BAKER. And that applies to all three forces.

Gen. CROWDER. Yes; that applies to all three forces.

Mr. WISE. Now, I have one other question: You use the words "at the maximum legal strength as by this act provided." What is the maximum legal strength of the National Guard provided in this act?

Gen. CROWDER. You would have to go to the other act to determine that.

Mr. WISE. But you say as provided in this particular act.

Gen. CROWDER. This act provides for it in this sense that it adopts the provisions of another act. It is adopted in this act by adoption of the legislative provisions in the national defense act.

Secretary BAKER. I think, Mr. Wise, your question is rather answered by paragraphs 1 and 2 of section 1—that is, as provided in this act.

Mr. WISE. You think that refers to the other act?

Secretary BAKER. Yes; I think so.

Mr. GREENE. I think, Mr. Secretary, that in submitting the figures that have been made up by Maj. Nolan the record might show about how many men it is expected will be included in the force to be raised by volunteering—that is to say, how many men in addition to the men already in there. We are asked occasionally how many chances there will be to volunteer before the conscriptive bodies are made up, and those figures would give us the answer. The questions that have been asked, going into the details of the bill, it seems to me, have covered the ground very thoroughly. I myself heartily favor the principle and policy of the bill, and I think if I ask no more questions I will be helping that much to expedite the business.

Mr. NICHOLLS. There is only one question I want to ask: What is the proportion of brigadier generals in the line as compared with the brigadier generals of the staff?

Gen. CROWDER. In the staff there are 3 major generals and 7 brigadier generals, while in the line that are 22 brigadier generals.

Mr. NICHOLLS. If two brigadier generals of the staff become major generals of the senior grade, how many brigadier generals of the line would become major generals of the senior grade?

Gen. CROWDER. The answer would be different for every month of the year, because a man automatically takes his rank. Sometimes the number advantaged would be of the line brigadier generals and sometimes it would be the staff. You can not answer that, except for the immediate present. To-day there would be two staff generals advantaged by the act. Then for the next two or three applications

of the act the larger percentage of generals advantaged by the act would be from the line, and then there would be a recurrence back.

Mr. NICHOLLS. I want to ask you something aside from the bill. Of course the Army is going to need a great many horses and mules and animals of that kind. Who buys those animals? They are bought by the Quartermaster's Department, I suppose.

Secretary BAKER. Yes.

Mr. NICHOLLS. Will there be any provision made, or does the department contemplate any by which a man who is too old to render military service in the Army, but who has had 20 years' experience in buying horses, would have an opportunity to serve his country in the purchase of stock?

Secretary BAKER. There have been some men admitted to the Officers' Reserve Corps in the Quartermasters' Department solely because of their expertness in the buying of horses.

Mr. NICHOLLS. Men without any military training?

Secretary BAKER. Yes.

Mr. NICHOLLS. I have received several letters from horsemen in my country.

Secretary BAKER. A former Member of Congress, for instance, who is very expert in the matter of horses, has rendered very valuable assistance to the department in the procuring of good horses and getting valuable breeding animals for the Government. He is anxious to be in the Quartermaster's Reserve Corps so he can give his time to it.

Mr. NICHOLLS. I suppose he would be given a commission or some grade.

Secretary BAKER. He would be if taken in.

Mr. NICHOLLS. I wanted to be able to answer some letters from people who wanted to render some service.

Secretary BAKER. Tell them to apply to the Reserve Corps of the Quartermaster's Department.

Thereupon, at 1 o'clock p. m., the committee adjourned until tomorrow, Wednesday, April 11, 1917, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., April 11, 1917.

The committee met in executive and confidential session at 10 o'clock a. m., Hon. S. Hubert Dent, jr. (chairman), presiding.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR, ACCOMPANIED BY BRIG. GEN. ENOCH H. CROWDER, JUDGE ADVOCATE GENERAL; MAJ. DENNIS E. NOLAN AND MAJ. P. E. PIERCE, GENERAL STAFF CORPS—Resumed.

Secretary BAKER. Mr. Chairman, I would like to say that pursuant to the discussion we had yesterday, I asked the War College Division to restudy the question of the possibility of bringing in the additional increments of the Regular Army in order to enlarge the number of places available to volunteers; and I have this morning received a restudy of that in which, with some explanation of the reasons for the original opinion, the War College is of opinion that

it would be wise to add the entire five increments to the Regular Army, which, of course, would make three additional increments or increase the number of available places for volunteers by about 75,000.

Mr. CALDWELL. Making a total of 287,000 instead of 203,401?

Secretary BAKER. Yes.

Mr. CALDWELL. In that connection, Mr. Secretary, I have here in front of me a memorandum handed me by Gen. Mann, which, I think, ought to be put in the record at this point, which shows that the peace strength of the entire National Guard amounts to 408,800, and that the war strength, if enlisted to its full force, would be 641,600, making a total, if the recognized forces of the Regular Army and the National Guard were brought up to full war strength, of 828,000 men.

Secretary BAKER. That would include the 11 additional increments.

Mr. KAHN. Mr. Secretary, that would bring the Regular Army up to approximately 287,000 men?

Secretary BAKER. Approximately; yes, sir.

Mr. KAHN. And then you say you intend to call for 336,000 National Guardsmen?

Secretary BAKER. Yes.

Mr. KAHN. That would give you 623,000, or 9,000 more than you said you would want when you first appeared before the committee?

Secretary BAKER. Yes, sir.

Mr. GREENE. Mr. Secretary, then this letter is the result of you told me after the hearing yesterday, when we talked about the matter?

Secretary BAKER. Yes, sir.

(The statement referred to follows:)

APRIL 11, 1917.

Memorandum for the Chief of Staff:

Statement showing strength of National Guard under section 62 of the act of June 3, 1916.

1. Enlisted strength:

Number of Senators and Representatives, 531 × 800	424, 800
Additional for District of Columbia, Hawaii, Porto Rico, Alaska, and Canal Zone	9, 000
	<hr/> 433, 800
Deduct for Naval Militia, sec. 117, act of June 3, 1916	25, 000
Total	<hr/> 408, 800

2. Organizations at peace strength:

Commissioned officers	22, 800
Enlisted men	408, 800
Aggregate	<hr/> 431, 600

3. Organizations raised to maximum statutory strength:

Commissioned officers	22, 800
Enlisted men	614, 800
Aggregate	<hr/> 641, 600

WM. A. MANN,
Brigadier General, General Staff, Chief of Militia Bureau.

The CHAIRMAN. Have you anything further to suggest, Mr. Secretary?

Secretary BAKER. There is only one other thing: There has been some question raised as to just what was done in Great Britain on the subject of conscription, and Gen. Crowder has kindly found for me the military-service act of the British Government, and I would like to read perhaps just enough of it to make the question clear.

Mr. CALDWELL. How much of it is there?

Secretary BAKER. It is not very long; only two or three pages.

Mr. KAHN. I think we would like to hear it.

Mr. CALDWELL. The only thing I had in mind was whether or not it would not be well to put the entire act in the record.

Secretary BAKER. I understood that to be the purport of your question.

Mr. GORDON. Is that the latest act which they have passed? The first act was passed in January, 1916, and the last act was enacted in May.

Secretary BAKER. My impression is that this is the act of January, 1916.

Gen. CROWDER. This is the act which set in force the conscription in 1916. It is the first of the acts. We have not the series of acts here.

Secretary BAKER. On the back of the act appears the indorsement, "Ordered by the House of Commons to be drawn on the 6th day of January, 1916."

Mr. GORDON. That was the original act.

Mr. SHALLENBERGER. And it has been considerably amended since then.

Secretary BAKER (reading):

Be it enacted, etc., as follows:

1. (1) Every male British subject who—

(a) on the fifteenth day of August, nineteen hundred and fifteen, was ordinarily resident in Great Britain, and had attained the age of eighteen years and had not attained the age of forty-one years; and

(b) on the second day of November, nineteen hundred and fifteen, was unmarried or was a widower without any child dependent on him—

shall, unless he either is within the exceptions set out in the first schedule to this act, or has attained the age of forty-one years before the appointed date, be deemed as from the appointed date to have been duly enlisted in His Majesty's regular forces for general service with the colours or in the reserve for the period of the war, and to have been forthwith transferred to the reserve.

Mr. NICHOLLS. Mr. Secretary, may I interrupt you a moment? You will remember we were discussing yesterday the use of the word "war," and I notice that this act uses the word "war."

Secretary BAKER. Yes. The schedule of omission comprises, summarily:

1. Men ordinarily resident in His Majesty's dominions abroad, or resident in Great Britain for the purpose only of their education or for some other special purpose.

2. Members of His Majesty's regular or reserve forces or of the forces raised by the governments of His Majesty's dominions, and members of the territorial force who are liable for foreign service or who are, in the opinion of the army council, not suited for foreign service.

3. Men serving in the navy or the Royal Marines or who, though not serving in the navy or Royal Marines, are recommended for exception by the Admiralty.

4. Men in holy orders or regular ministers of any religious denomination.
5. Men who have left or been discharged from the naval or military service of the Crown in consequence of disablement or ill health (including officers who have ceased to hold a commission in consequence of disablement or ill health) and, subject to any provision which may hereafter be made by Parliament, men who have been discharged from the naval or military service of the Crown on the termination of their period of service.
6. Men who hold a certificate of exemption under this act for the time being in force (other than a certificate of exemption from combatant service only), or who have offered themselves for enlistment and been rejected since the fourteenth day of August, nineteen hundred and fifteen.

Mr. SHALLENBERGER. The second schedule, Mr. Secretary, shows the constitution of the tribunal in which this is administered, and that is the question I asked you about.

Secretary BAKER. Shall I read the second schedule?

Mr. SHALLENBERGER. That is the one I asked you about yesterday.

Secretary BAKER. I will give you the substance of it, and will ask you, Governor, to follow me and see if I leave out anything that ought to be in:

There shall be a military-service tribunal for each local registration district under the national registration act of 1915 in Great Britain, or for any division of any such district which may be adopted for the purpose by the registration authority of the district, consisting of such persons, not less than 5 and not exceeding 25 in number, as may be appointed for the purpose by that authority.

2. There shall be appeal tribunals, acting within such areas as His Majesty may appoint, consisting of such persons as may be appointed for the purpose by His Majesty.

3. Tribunals may act through committees appointed by them, consisting wholly or partly of members of the tribunal.

Mr. SHALLENBERGER. The act I have before me says there shall be a local tribunal. It does not say a military tribunal at all.

Secretary BAKER. It says a military-service tribunal in the act I have. There are two other provisions:

There shall be a central tribunal for Great Britain consisting of such persons as may be appointed for the purpose by His Majesty.

5. His Majesty may, by order in council, make regulations with respect to the constitution, functions, and procedure of the military-service tribunals, the appeal tribunals, and the central tribunals; and, so far as provision is not made for procedure by those regulations, the procedure of the tribunal shall be such as may be determined by the tribunal.

Then there are two brief sentences on the subject of appeal:

1. Any person aggrieved by the decision of the military-service tribunal and any person generally or specially authorized to appeal from the decision of that tribunal by the army council may appeal against the decision of the military-service tribunal to the appeal tribunal of the area.

2. Any person aggrieved by the decision of an appeal tribunal, and any person generally or specially authorized to appeal from the decision of that tribunal by the Army council, may, by leave of the appeal tribunal, appeal to the central tribunal.

Mr. SHALLENBERGER. In the copy I have before me in every case where you have read "military service tribunal" this says "local tribunal."

Mr. GORDON. Mr. Secretary, did you read all the subsequent acts to the act of January, 1916?

Secretary BAKER. That is the only one I have, Mr. Gordon.

Mr. GORDON. There have been two subsequent acts—one of January 27, 1916, and, then, one enacted in May.

The CHAIRMAN. Suppose we put both of them in the record.

Secretary BAKER. Gov. Shallenberger has copies of both of them, and I will ask him to submit them for the record, because this is the only copy the War Department has, so far as I know.

(The papers referred to follow:)

GREAT BRITAIN.

MILITARY SERVICE ACTS, 1916.

(5 and 6 Geo. 5, c. 104.)

AN ACT To make provision with respect to Military Service in connexion with the present war. [27th January 1916.]

Be it enacted, etc., as follows:

1.—(1) Every male British subject who—

(a) on the fifteenth day of August nineteen hundred and fifteen, was ordinarily resident in Great Britain, and had attained the age of eighteen years and had not attained the age of forty-one years; and

(b) on the second day of November nineteen hundred and fifteen was unmarried or was a widower without any child dependent on him;

shall, unless he either is within the exceptions set out in the First Schedule to this Act, or has attained the age of forty-one years before the appointed date, be deemed as from the appointed date to have been duly enlisted in His Majesty's regular forces for general service with the colours or in the reserve for the period of the war, and to have been forthwith transferred to the reserve.

(2) The Army Act (with the exception of section ninety-six thereof, which relates to the claim of masters to apprentices) and the Reserve Forces Acts, 1882 to 1907, and any orders and regulations made thereunder, shall apply accordingly to any man who is so deemed to have been enlisted and transferred to the reserve; and if any question arises in any legal proceeding under any of those Acts, orders, or regulations whether any man is a man who is under this section deemed to have been enlisted and transferred to the reserve or not, the court may require the man to give evidence on the question, and if satisfactory evidence is not given to the contrary the man shall be deemed to have been so enlisted and transferred;

Provided that—

(a) where the question, whether a man is a man who, under this section is deemed to have been enlisted and transferred to the reserve or not, is raised on proceedings in respect of an offence alleged to have been committed by the man as a member of the reserve whilst he was a member of the reserve in pursuance of the transfer under this Act, or in respect of any alleged failure to comply with any order calling him up from the reserve for permanent service, that question shall be decided only on proceedings before a civil court; and

(b) no such proceedings shall be instituted except during the continuance of the present war and a period of six months thereafter; and

(c) a man who is deemed to have been enlisted and transferred to the reserve under this section shall not be liable to suffer death in respect of failure to obey an order calling him up from the reserve for permanent service.

(3) Provision shall be made under section twenty of the Reserve Forces Act, 1882, for information being obtained from men who are transferred to the reserve under this section as to preference for naval service, and the Admiralty shall have the first call on such men in case their services are needed for that purpose.

(4) This section shall apply to any male British subject who, since the fifteenth day of August nineteen hundred and fifteen, has become or hereafter becomes ordinarily resident in Great Britain in the same manner as it applies to a male British subject who was ordinarily resident in Great Britain on the fifteenth day of August nineteen hundred and fifteen, with the substitution in the case of a man becoming so resident after the appointed date of the thirtieth day after he has become so resident for the appointed date.

2.—(1) An application may be made at any time before the appointed date to the Local Tribunal established under this Act by or in respect of any man for the issue to him of a certificate of exemption from the provisions of this Act—

- (a) on the ground that it is expedient in the national interests that he should, instead of being employed in military service, be engaged in other work in which he is habitually engaged or in which he wishes to be engaged or, if he is being educated or trained for any work, that he should continue to be so educated or trained; or
 - (b) on the ground that serious hardship would ensue, if the man were called up for Army Service, owing to his exceptional financial or business obligations or domestic position; or
 - (c) on the ground of ill-health or infirmity; or
 - (d) on the ground of a conscientious objection to the undertaking of combatant service;
- and the Local Tribunal, if they consider the grounds of the application established, shall grant such a certificate.

The Local Tribunal may allow an application to be made after the appointed date in any case in which it is shown to their satisfaction that the failure to make the application within the required time has arisen owing to the absence of the applicant abroad, or owing to any other cause which appears to the tribunal to afford a reasonable ground for allowing the application to be so made.

(2) Certificates of exemption from the provisions of this Act may also be granted by any Government Department, after consultation with the Army Council, to men, or classes or bodies of men, in the service or employment of that Department, or, in cases where it appears to the department that certificates can be more conveniently granted by the department than by the Local Tribunal, to men or classes or bodies of men who are employed or engaged or qualified for employment or engagement in any work which is certified by the Department to be work of national importance and whose exemption comes within the sphere of the Department.

If any question arises whether any person or body of persons is to be treated as a Government Department, or as a separate Government Department, for the purpose of this provision, or whether any exemption comes within the sphere of one Department or another, the question shall be referred to the Treasury, and the decision of the Treasury thereon shall be final for the purposes of this section.

Where a certificate is granted by a Government Department to a class or body of men, regulations made under this Act with respect to the constitution, functions and procedure of Local Tribunals may provide for the grant of individual certificates to men belonging to that body or class by Local Tribunals in such cases and subject to such provisions as may be prescribed by the regulations.

(3) Any certificate of exemption may be absolute, conditional, or temporary, as the authority by whom it was granted think best suited to the case, and also in the case of an application on conscientious grounds, may take the form of an exemption from combatant service only, or may be conditional on the applicant being engaged in some work which in the opinion of the Tribunal dealing with the case is of national importance:

Provided that a certificate granted on the ground of the continuance of education or training, or on the ground of exceptional financial or business obligations or domestic position, shall be a conditional or temporary certificate only.

No certificate of exemption shall be conditional upon a person to whom it is granted continuing in or entering into employment under any specified employer or in any specified place or establishment.

(4) Where a conditional certificate is granted the conditions upon which it is granted shall be stated on the certificate.

(5) Any Government Department may direct that any certificates granted by or on behalf of that Department before the appointed date as to employment on work for war purposes may be treated as certificates of exemption for the purposes of this Act.

(6) Where a certificate of exemption is destroyed, missing, or defaced, the authority by whom it was granted shall, upon the application of the man to whom it was granted and upon payment of a fee of a shilling, issue a duplicate of the certificate to him.

(7) The Local Tribunal, Appeal Tribunal, and Central Tribunal shall be constituted in accordance with the provisions of the Second Schedule to this Act, and any decision of the Local Tribunal or Appeal Tribunal shall be subject to appeal as provided in that Schedule.

3.—(1) A certificate of exemption may be reviewed or renewed at any time by the Local Tribunal or the Government Department, as may be directed by regulations made under this Act with respect to the constitution, functions and procedure of Local Tribunals, on the application either of the holder of the certificate or of any person generally or specially authorised for the purpose by the Army Council, and may be withdrawn or varied if the authority by whom the certificate is reviewed are of opinion that, in the circumstances of the case, the certificate should be withdrawn or varied.

(2) It shall be the duty of any man holding a conditional certificate, if the conditions on which the certificate was granted are no longer satisfied, to give notice to the authority mentioned in the certificate that the conditions are no longer satisfied; and if he fails without reasonable cause or excuse to do so, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

(3) Where a certificate of exemption ceases to be in force owing to the withdrawal of the certificate or the failure to comply with the conditions on which the certificate was granted or the expiration of the time for which the certificate was granted, the man to whom the certificate was granted shall, as from the expiration of two months after the date on which the certificate so ceases to be in force, be deemed to have been enlisted and transferred to the reserve in the same manner as if no such certificate had been granted unless in the meantime the man has obtained a renewal of his certificate.

(4) If for the purpose of obtaining exemption for himself or any other person, or for the purpose of obtaining the renewal, variation, or withdrawal of a certificate of exemption, any person makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding six months with or without hard labour.

(5) Where an application has been made by or in respect of any man for a certificate of exemption or for a renewal of such a certificate, he shall not be called up for service with the colours until the application has been finally disposed of.

4. This Act may be cited as the Military Service Act, 1916, and shall come into operation on such day as His Majesty may fix by proclamation, not being more than fourteen days after the passing thereof.

The appointed date for the purposes of this Act shall be the twenty-first day after the day on which this Act comes into operation.

SCHEDULES.

FIRST SCHEDULE—EXCEPTIONS.

1. Men ordinarily resident in His Majesty's Dominions abroad, or resident in Great Britain for the purpose only of their education or for some other special purpose.

2. Members of His Majesty's regular or reserve forces, or of the forces raised by the Governments of His Majesty's Dominions, and members of the Territorial Force who are liable for foreign service or who are, in the opinion of the Army Council, not suited for foreign service.

3. Men serving in the Navy, or the Royal Marines, or who, though not serving in the Navy or Royal Marines, are recommended for exception by the Admiralty.

4. Men in holy orders or regular ministers of any religious denomination.

5. Men who have left or been discharged from the naval or military service of the Crown in consequence of disablement or ill-health (including officers who have ceased to hold a commission in consequence of disablement or ill-health), and, subject to any provision which may hereafter be made by Parliament, men who have been discharged from the naval or military service of the Crown on the termination of their period of service.

6. Men who hold a certificate of exemption under this Act for the time being in force (other than a certificate of exemption from combatant service only), or who have offered themselves for enlistment and been rejected since the fourteenth day of August nineteen hundred and fifteen.

SECOND SCHEDULE—CONSTITUTION OF TRIBUNALS.

1. There shall be a Local Tribunal for each local registration district under the National Registration Act, 1915, in Great Britain, or for any division of any such district which may be adopted for the purpose by the registration

authority of the district, consisting of such persons, not less than five and not exceeding twenty-five in number, as may be appointed for the purpose by that authority.

2. There shall be Appeal Tribunals, acting within such areas as His Majesty may appoint, consisting of such persons as may be appointed for the purpose by His Majesty.

3. Tribunals may act through committees appointed by them, consisting of members of the tribunal.

4. There shall be a Central Tribunal for Great Britain consisting of such persons as may be appointed for the purpose by His Majesty.

5. His Majesty may by Order in Council make regulations with respect to the constitution, functions and procedure of the Local Tribunals, the Appeal Tribunals and the Central Tribunal; and, so far as provision is not made for procedure by those regulations, the procedure of the tribunal shall be such as may be determined by the tribunal.

Regulations made under this provision shall contain instructions to the Local and Appeal Tribunals given with a view to securing uniformity of decision and practice amongst the several tribunals.

Any Order in Council under this provision may be revoked or varied by any subsequent Order in Council and any regulations made under any such Order shall, as soon as may be, be presented to Parliament.

6. If any difficulty arises with respect to the constitution of Local Tribunals, or otherwise in relation to the operation of this Act with respect to Local Tribunals, the Local Government Board, or, as respects Scotland, the Secretary for Scotland, may make any appointment and do anything which appears to them necessary or expedient for the establishment of those tribunals or for securing the full operation of this Act with respect to those tribunals.

APPEAL.

1. Any person aggrieved by the decision of a Local Tribunal, and any person generally or specially authorised to appeal from the decision of that tribunal by the Army Council, may appeal against the decision of a Local Tribunal to the Appeal Tribunal of the area.

2. Any person aggrieved by the decision of an Appeal Tribunal, and any person generally or specially authorised to appeal from the decision of that tribunal by the Army Council, may, by leave of the Appeal Tribunal, appeal to the Central Tribunal.

MILITARY SERVICE ACT, 1916

(SESSION 2)

(6 and 7 Geo. 5 c. 15.)

AN ACT To make further provision with respect to Military Service during the present War. [25th May 1916].

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Every male British subject who has at any time since the fourteenth day of August nineteen hundred and fifteen been, or for the time being is, ordinarily resident in Great Britain, and who for the time being has attained the age of eighteen years and has not attained the age of forty-one years, shall, unless he either is for the time being within the exceptions set out in the First Schedule to the Military Service Act, 1916 (in this Act referred to as the principal Act), as amended by this Act or any subsequent enactment, or has attained the age of forty-one years before the appointed date, be deemed as from the appointed date to have been duly enlisted in his Majesty's regular forces for general service with the colours or in the reserve for the period of the war, and to have been forthwith transferred to the reserve:

Provided that steps shall be taken to prevent so far as possible the sending of men to serve abroad before they attain the age of nineteen.

The appointed date shall, as respects men who come within the operation of this section on the passage of this Act, be the thirtieth day after the date of the passing of this Act, and, as respects men who come within the operation of this section after the passing of this Act, be the thirtieth day after the date on which they so come within the operation of this section.

(2) All the provisions of the principal Act, as amended by this Act, with the exception of those defining the appointed date, shall, so far as applicable, extend to men to whom this section applies in the same manner as to men to whom section one of that Act applied.

(3) Subsection (4) of section one of the principal Act is hereby repealed.

2. During the continuance of the present war, subsection (1) of section eighty-seven of the Army Act, and subsection (5) of section nine of the Territorial and Reserve Forces Act, 1907 (which relate to prolongation of service in certain cases), shall have effect as if after the words "not exceeding twelve months" where they occur in those subsections respectively there were inserted the words "or in the case of men whose time for discharge occurs before the end of the present war not exceeding the duration of the war."

Provided that this section shall not apply in the case of men who when their time for discharge occurs have served a period of twelve years or more and have attained the age of forty-one years.

3. (1) Paragraph five of the First Schedule to the principal Act shall cease to have effect so far as it relates to men who have been discharged from the naval or military service of the Crown on the termination of their period of service:

Provided that where a man is transferred to the reserve in pursuance of the principal Act, or this Act, he shall, if he has been so discharged from the military service of the Crown as a warrant officer or non-commissioned officer, be restored to the military rank which he held immediately before the termination of his military service.

(2) Paragraph six of the First Schedule to the principal Act shall, on the first day of September nineteen hundred and sixteen, cease to apply to a man who has offered himself for enlistment and been rejected since the fourteenth day of August, nineteen hundred and fifteen, if the Army Council are satisfied that he should again present himself for medical examination, and send him written notice to that effect before the first mentioned date.

(3) Subsection (5) of section two of the principal Act shall have effect as if the words "before the appointed date" were omitted therefrom.

4.—(1) Where a decision of a local tribunal has been varied on appeal to the appeal tribunal, any certificate of exemption granted in pursuance thereof shall be reviewed or renewed only by the appeal tribunal by whom the decision has been varied, or by such other appeal tribunal as may be provided by regulations, on an application made direct to that tribunal, and the provisions of the principal Act as to the review or renewal of certificates of exemption shall apply accordingly.

(2) A certificate of exemption may be granted under the principal Act subject to the condition that the certificate shall not be renewable or open to variation except on an application made with the leave of the tribunal on whose decision the certificate has been so granted, and, unless leave is so given, the provisions of the principal Act as to the renewal or variation of certificates shall not apply to a certificate granted subject to such a condition.

The decision of the tribunal granting or refusing leave under this provision shall be final.

(3) It is hereby declared that the power to grant special certificates of exemption in the case of an application on conscientious grounds under subsection (3) of section two of the principal Act is additional to and not in derogation of the general power conferred by that Act to grant an absolute, conditional, or temporary certificate in such cases.

(4) Paragraph six of the Second Schedule to the principal Act shall have effect as if for the expression "local tribunal" wherever that expression occurs there were substituted the word "tribunal."

(5) Regulations made under the Second Schedule to the principal Act may provide for permitting the rehearing of a case by a tribunal in cases specified in the regulations.

5. The provisions in subsection (3) of section two of the principal Act that no certificate of exemption shall be conditional upon a person to whom it is granted continuing in or entering into employment under any specified employer or in any specified place or establishment, shall not apply to a certificate of exemption granted on the ground of a conscientious objection to the undertaking of combatant service.

6. Subsection (3) of section three of the principal Act shall as respects certificates which cease to be in force after the date of the passing of this Act, apply only in the case of men who have been engaged in an occupation certified

by a government department to be work of national importance, and who were engaged in such an occupation before the fifteenth day of August, nineteen hundred and fifteen, and in the case of men whose conditions of employment have been subject to the provisions of section seven of the Munitions of War Act, 1915, as amended by any subsequent enactment, and who were in the same employment or engaged in the same or similar occupation before the fifteenth day of August, nineteen hundred and fifteen, and in all other cases the subsection shall be construed as if "two weeks" were substituted for "two months" and as if the words "unless in the meantime the man has made an application for a renewal of his certificate" were substituted for the words "unless in the meantime the man has obtained a renewal of his certificate."

7. Regulations made under the Second Schedule to the principal Act shall provide for the establishment of professional committees to deal with claims for exemption made by duly qualified medical practitioners; and any application made by such a medical practitioner on any ground, other than that of conscientious objection, for a certificate of exemption shall be referred by the tribunal to whom it is made to such a committee in accordance with those regulations; and the recommendation of the committee on the application shall be binding on any tribunal constituted under the principal Act.

8. Nothing in this or the principal Act shall operate so as to render liable to military service any person who has at any time since the beginning of the war, been a prisoner of war, captured or interned by the enemy, and has been released or exchanged.

9. During the continuance of the present war section one hundred and fifty-three of the Army Act and section seventeen of the Reserve Forces Act, 1882 (which relate to offences in connexion with deserters and absentees), shall have effect as though the following provision were inserted at the end of each of those sections:

"For the purposes of this section a person shall be deemed to have knowledge unless he proves that he had not knowledge."

and it is hereby declared that, in the application of any provisions of those Acts to men who are deemed to have been enlisted and transferred to the reserve in pursuance of the principal Act or this Act, the expression "court of summary jurisdiction" as respects Scotland includes any magistrate or magistrates, by whatever name called, officiating under the provisions of any general or local Police Act.

10.—(1) Every man who holds a certificate of exemption granted under the principal Act shall, if required by a constable or by any person who has authority for the purpose from the Army Council, produce his certificate or give particulars as to the authority by which the certificate was granted and the grounds on which it was granted.

If any man fails to comply with this provision or gives particulars which are false in any material respect, he shall in respect of each offence be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months.

(2) If any person alters or tampers with a certificate of exemption granted under the principal Act, or personates or falsely represents himself to be a person to whom such a certificate has been granted, or improperly allows any other person to have possession of any such certificate issued for his use alone, he shall be liable on summary conviction to imprisonment for a term not exceeding six months.

11. Notices served for the purposes of the principal Act or this Act shall not be deemed to be invalid on the ground only that they were served before the Act came into operation or before the man in respect of whom they are served became a member of the reserve.

12. The Army Council may make arrangements, to take effect during the continuance of the present war, for the transfer to the reserve of any member of the regular forces or for the temporary demobilization of any member of the territorial force, notwithstanding anything in any Act or in the terms of his enlistment, in cases where the transfer or demobilization appears expedient in the general interests of the country and the Army Council are satisfied that it can be effected under conditions which will render the man transferred or demobilized immediately available for service in the case of military necessity:

Provided that during such period of transfer or demobilization the man shall not be subject to military discipline.

13. The first proviso to section one of the Army (Transfers) Act, 1915 (which provides for the maintenance of the rate of pay of a soldier transferred to a corps not of the same arm or branch of the service as the corps in which he was serving), shall not have effect in cases in which the Army Council direct that that proviso shall not apply.

14. (1) During the continuance of the present war, notwithstanding anything in section seven of the Territorial and Reserve Forces Act, 1907, the orders and regulations for the government and discipline of the territorial force made under that section—

- (a) may authorize a man of the territorial force when belonging to one corps to be transferred without his consent to another corps, and may authorize a man of the territorial force to be posted without his consent to a battalion or other body of the regular forces included in the corps to which he belongs or is transferred; and
- (b) in the case of an officer or man in the territorial force who is liable to service outside the United Kingdom may, for the purposes of such service, and notwithstanding anything in any instrument defining the conditions of such service, authorize the drafting of any such officer or man to any unit of the territorial force within the corps to which he belongs or to which he may be transferred;

and those orders and regulations shall also provide for the maintenance of the rate of pay of a man who is transferred without his consent to a different arm or branch of the service except in cases in which it appears undesirable to the Army Council that the rate of pay should be so maintained.

(2) This section shall affect officers or men of the territorial force notwithstanding that they were commissioned, enlisted, or re-engaged before the date of any order or regulation under this section.

15. During the continuance of the present war section nine of the Territorial and Reserve Forces Act, 1907, shall be construed as authorizing corps to be formed for more than one county.

16. Where an officer or man of the territorial force has, before or after the passing of this Act, accepted liability to serve in any place out of the United Kingdom, that liability shall continue, notwithstanding anything in the conditions of service, during the continuance of the present war, unless the competent military authority, as defined for the purposes of Part II. of the Army Act, otherwise direct.

17. (1) This Act may be cited as the Military Service Act, 191— — — — 2), and the principal Act and this Act shall be read together, and may — — — together as the Military Service Acts, 1916; and the Territorial and — — — Forces Act, 1907, and this Act (so far as they relate to the territorial force) may be cited together as the Territorial Force Acts, 1907 and 1916.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULE.

Session and chapter.	Short title.	Extent of repeal.
5 & 6 Geo. 5. c. 104.	The Military Service Act, 1916.	Subsection (4) of section one; the words "before the appointed date" in subsection (5) of section two; the words "and subject to any provision which may hereafter be made by Parliament, men who have been discharged from the naval or military service of the Crown on the termination of their period of service" in paragraph five of the First Schedule; and the word "local" wherever it occurs before the word "tribunals" in paragraph six of the Second Schedule.

Mr. CALDWELL. Mr. Secretary, referring again to the number of men, as I understand it, your present suggestion is that instead of 203,401 of the Regular Army you expect to call the full amount of 287,000?

Secretary BAKER. Yes.

Mr. CALDWELL. And then you expect to take 336,000 of the National Guard and then you want 500,000 additional under this draft system, making a total of 1,123,000 men. Now, do you not expect that that will cause an increase in the authorization of money so that we will have to increase the amount proportionately?

Secretary BAKER. It may be necessary to make some increases, but I think probably not serious ones.

Mr. CALDWELL. I just wanted to call your attention particularly to that.

Secretary BAKER. It does increase the number, but Maj. Pierce can answer that question better than I.

Mr. CALDWELL. The officer who has charge of that question ought to take that into consideration.

Secretary BAKER. Of course, these estimates are made upon the most general basis as, for instance, reverting to the illustration which I used yesterday, the travel for the Army. It is assumed that the major part of the Army will be assembled on the Atlantic coast. For instance, in order to get some basis of forecasting the possible expenditure, an average of \$24 per man, to get him from wherever he is to the Atlantic coast, is assumed as the basis of travel. They had to be exceedingly indefinite.

Mr. KAHN. Section 4 of the first paragraph provides, however, that you may call for another 500,000 men.

Secretary BAKER. No attempt is made in these estimates to provide for that force. The purpose of including that was simply to show that this is a system adapted to the repeated production of large units of substantially the same size.

Mr. WISE. Mr. Kahn, right in connection with that paragraph, if I am correct about it, that says he may call for 500,000, and the other paragraph which calls out the first 500,000 says that the President may call that many or such parts as he may deem necessary. Under that language would he not have to call the full 500,000?

Mr. KAHN. Yes.

Mr. WISE. Ought not that to be changed?

Secretary BAKER. I think not, Mr. Wise. My understanding of that is that the first provision giving the President the power to call out such part of the 500,000 as he deems necessary is intended to mean that the power need not be exercised at one moment.

Mr. WISE. That is what I understood; but the next paragraph, which calls for the second increment, does not provide that.

Secretary BAKER. I think it is implied that he may call it out in the same way; that is, partially at a time if deemed wise.

Mr. GREENE. Mr. Secretary, would not this change in figures under the amendment no wproposed to the original policy by the War College make necessary a new statement of figures by Maj. Nolan as to the number of the aggregate that would be still left open for volunteering?

Secretary BAKER. That is included in the number given by Maj. Nolan this morning in answer to Mr. Caldwell.

Maj. NOLAN. That refers particularly to the National Guard. The original statement made by the Secretary of 614,000 in both the Regular Army and the National Guard falls this morning. The statement as modified yesterday was only for one increment, whereas this includes all the increments.

Mr. GREENE. What I meant was that you will remember that I asked that there be inserted in the record, after you had had an opportunity to figure it out, how many men, in order to raise it to the figures understood yesterday, would be obtained by volunteering, in addition to those already in the service, either in the Regular Army or the National Guard. Now, these amended figures doubtless will change those figures.

Maj. NOLAN. Yes; I will insert that when we come to that point.

Mr. MORIN. Mr. Secretary, would you be willing to have an amendment added to the exemption clause to exempt boys who are still going to high schools and colleges?

Secretary BAKER. No, sir; I think that would be unwise.

Mr. MORIN. Do you not think by raising the maximum age for the draft to 30 you could make up for what you might lose in that way?

Secretary BAKER. Yes; but you would do two things which I think would be unwise. You would invade the field of industry and skilled workmen in your inclusion from 25 to 30 in a way that would further dislocate the industry of the country; and, in the second place, you would give a privilege to the boys whose parents are able to send them to school as against boys whose parents are not able to send them to school, and I think that privilege ought not to be extended, as much as I believe in education as a national asset.

Mr. MORIN. I have had a great many people in my district come to see me personally about this question, and there are a lot of boys whose parents are struggling to give them their last year in high school or in college, and they have come to me and appealed to me and said, "We would be proud to see our boys go out to fight for our country, but we have been struggling all our lives to give them an education, and this is taking away from them the last year of their education, and they are taken away and put into a training camp for a year, and if there is a war they will be held for two years, and their education is lost."

Secretary BAKER. I realize the gravity of that situation and had it brought to my attention in many instances during the Mexican mobilization. Young men who were just completing college and professional careers and boys in high schools and colleges have written to me recently, asking that college students be postponed as to their period of service until they finish their college or high-school career; but I had, in the Mexican situation, a very stimulating corrective to my feeling on the subject when it was proposed to let college boys out. I received letters from women who made their living by taking in washing, asking whether it was not more important to allow their boys to be exempted to help keep the family together than it was to let some more favored boy proceed with his education, and I did not know of any answer to that.

Mr. MORIN. It is the opinion of these people that between the ages of 25 and 30 there are a large number of young men who have finished their college education. They are not married; they are not fixed permanently in business or in any occupation, who would be glad to

go; and after the volunteer forces are filled up those men can not even volunteer for service and would not be reached by the draft.

Secretary BAKER. That is true, and yet I suspect that the greatest education a man can get, valuable as formal education is, is to serve his country in an army in a time of stress.

Mr. MORIN. I believe that also—added to his other education.

Secretary BAKER. And when we look at what happened in the Civil War, we find that men whose college career was interrupted either in the beginning or in the middle acquired a training and an equipment in the service which made them the men of mark in the generation that they came into as men. I think while we may interrupt the formal education of boys, we give them something that compensates.

Mr. MORIN. Mr. Chairman, I would like to insert in the record of the hearings at this point, for the information of Congress, a letter received from the superintendent of schools in my district, giving the number of boys in the high schools over 19 years of age.

(The letter referred to follows:)

PITTSBURGH PUBLIC HIGH SCHOOLS,
WILLIAM M. DAVIDSON, SUPERINTENDENT,
Pittsburgh, Pa., April 9, 1917.

HON. JOHN M. MORIN,

House of Representatives, Washington, D. C.

MY DEAR MR. MORIN: Replying to your recent favor in which you make inquiry concerning the number of boys enrolled in the public high schools of Pittsburgh who are 19 years of age and over, I beg to advise that at the close of the first semester of the school year 1916-17 there were enrolled in our public high schools 342 boys who gave their ages as being 19 years or over.

This census data was taken on the basis of the nearest birthday to the date of February 1, 1917, and a summary of the data shows that there were enrolled in our high schools at that time 243 boys 19 years of age, 72 boys 20 years of age, and 27 boys 21 years of age.

Trusting that the above statements will give you the information that you desire in connection with your study of the proposed legislation favoring compulsory military training, I beg to remain with high regard and esteem,

Yours, sincerely,

WILLIAM M. DAVIDSON,
Superintendent of Schools.

Mr. HARRISON. Mr. Secretary, I had a case presented to me of this character. You say that the draft shall include male persons who have declared their intention to become citizens. There are a number of Germans who have made their preliminary declaration, but are not admitted to naturalization. I had a case of that character only the other day. A German wished to be naturalized, but he is treated as an alien enemy. Now, the question is whether he ought to be drafted into the Army to fight when he is treated as an alien enemy.

Secretary BAKER. Mr. Harrison, I would be very glad to submit my judgment to your collective wisdom on that subject. I have no settled opinion about it, but there are a very large number of people in this country who have taken out their first papers and who, for reasons of convenience, have postponed taking their second papers, who are just as much bred into the citizenship of this country as though they had taken out their second papers; and my thought about it was that so large a power of exclusion is given to the Presi-

dent here that the slightest evidence of disloyal sentiment could be made the basis of exclusion.

Mr. HARRISON. It is not exactly a question of disloyal sentiment. It is a question of whether a man should be compelled to fight for a country which treats him as an alien enemy.

Secretary BAKER. The Judge Advocate General is uncertain whether the proclamation of the President does so classify persons who have declared their intention to become citizens.

Mr. HARRISON. It is a matter that involves property rights in a good many States. It involves a question of whether an alien enemy can hold property of various kinds and characters. A number of German subjects have made this preliminary declaration, and there is a case I have in mind of a man who made the declaration 22 years ago, but when he wants to be naturalized they turn him down. Now, the question is whether we should have the right to compel people to serve when we class them as enemy aliens under our naturalization and immigration laws.

Secretary BAKER. Of course all the persons who have taken out their first papers and not taken out their second papers are not persons who owed original allegiance to the German Empire. There may be a very large number of persons in that situation from neutral States or belligerent States that are friendly to us.

Mr. HARRISON. Would there be any objection to adding an amendment saying, "who are not alien enemies"?

The CHAIRMAN. When a man takes out his first papers he renounces his citizenship to the foreign country.

Gen. CROWDER. The only definition we have of an alien enemy is that incorporated in the President's recent proclamation on that subject.

Secretary BAKER. The point is a very obscure and difficult one. If we could get a clear view of the law, and we probably can get it from the President's proclamation, that would undoubtedly be the only guide that the courts would follow. If the President's proclamation has classified persons of original German allegiance who have taken out their first papers but who have not taken out their second papers as alien enemies, clearly we ought not to compel them to serve.

Mr. HARRISON. There is another question I would like to ask: Is there any serious objection to permitting a review by the civil authorities in the matter of the right of registration and conscription? I suggest that because we know that in administering this law, if military people are sent into a community and have the sole say as to who shall serve and who shall not serve, it will make much greater friction among the people who are being enrolled than if they knew that they could appeal to their customary tribunals for relief and protection.

Secretary BAKER. Unless the writ of habeas corpus is suspended, I should suppose the privilege of that writ would be the corrective you desire.

Mr. HARRISON. Would that allow a review of questions of fact?

Secretary BAKER. It would allow a review of questions of law and of questions of fact where it was contended that the fact had either been fraudulently determined or so negligently determined as to be tantamount to fraud.

Mr. HARRISON. But if it were simply determined wrongfully——

Secretary BAKER (interposing). It would depend upon the character of the wrong done him. If the trial tribunal passing upon the facts, whether a military tribunal or civil tribunal, should determine a question of fact frivolously and simply say, "We will take you anyhow," and did not examine into the claims for exemption, that would be equivalent to a fraudulent determination of that fact, and I think that the courts would undoubtedly review that.

Mr. SHALLENBERGER. Mr. Secretary, if it should develop, as it appeared from those two bills which you and I have submitted, that the British Government has rescinded its original declaration providing for a military tribunal and has changed it to a civil tribunal, would not that indicate that it is a matter of serious importance?

Secretary BAKER. It might well be, and I have no objection to that character of tribunal. I am indifferent on that subject so long as it is a tribunal that can act with swiftness. Certainty and swiftness are what we desire.

The Judge Advocate General will examine into that other question as soon as he gets the President's proclamation.

Mr. TILSON. Mr. Secretary, referring to Mr. Morin's question with reference to the exemption of school boys and college boys, I understood you to say that there was some criticism, which you deemed to be quite well founded, of the action in regard to releasing college men at the time of the border trouble.

Secretary BAKER. I proposed to take action releasing the college men, but I found that there was such grave objection to it that it was not done.

Mr. TILSON. Were they not actually released on September 1?

Secretary BAKER. No, sir; an organization made up solely of college men was released because they were really not a part of the National Guard normally. Take, for instance, the Yale batteries, which were made up of men not from Connecticut alone but of men from all parts of the United States. They really were not properly to be considered a part of the Connecticut National Guard, and they were released.

Mr. TILSON. Was not that order at first issued for releasing the college men who applied for discharge?

Secretary BAKER. The order originally issued was that all purely college contingents should be released on the 1st of September, and that, if possible, the college men scattered through the ranks of the National Guard should be discharged. It was found impossible to do it——

Mr. TILSON (interposing). I remember when that information came to my own outfit. We had a number of college men enlisted in our regiment, and the howl of criticism that went up in regard to it——

Secretary BAKER (interposing). They were not in fact released, as you recall.

Mr. TILSON. As a matter of fact, I had heard no criticism of the action of the War Department, unless it was the married men's order, that was so great as the criticism of that order releasing the college men.

Secretary BAKER. It is to be said in that connection that the action of the department in releasing married men and the proposed action

of the department releasing college men were both criticized from another point of view, namely, that they would tend to break up the guard or diminish the number of men in the guard.

Mr. TILSON. That was the actual effect of it; I know from my personal knowledge.

Secretary BAKER. In States where you are making over the National Guard that criticism would not obtain.

Mr. TILSON. You could act upon it in the beginning and not fill up the guard with married men, and, if necessary, not with college men, if you thought that important, but I think that service is a matter of education, just as much as any part of a college curriculum.

Secretary BAKER. I had the question put up to me yesterday afternoon from another point of view. A very venerable clergyman called upon me and wanted to know whether we would take theological students, and I told him that so far as I was concerned we would, but that if they had any conscientious convictions against fighting with the active military forces, or if the discipline of their churches opposed such service, they could be trained to perform some noncombatant duty, perhaps.

Mr. TILSON. Another question we may face came up yesterday in a meeting where I was passing on another matter relating to this war business, and that is in regard to the credits for enlistment in the National Guard, in the Army, and the Navy. By that I mean credit to the district or State for men who have volunteered in the Army, the Navy, or the National Guard. Just what are the provisions as to that credit? Shall it be for the men who enlist when this call goes into effect, or shall it be for such men as now belong to the National Guard or such men as have heretofore volunteered in the Regular Army from that district or locality?

Secretary BAKER. I will get the Judge Advocate General to answer that.

Gen. CROWDER. The credits embrace those who are drafted into the service of the United States from the National Guard initially and all enlisted men under the terms of this act.

Mr. TILSON. That is, it includes such men as are in the National Guard?

Gen. CROWDER. Yes, sir.

Mr. TILSON. When they are drafted into the service of the United States?

Gen. CROWDER. Yes, sir.

Gen. CROWDER. No, sir; it is not included in this statute. Whether it should be included or not I have not considered. I followed the provision of the draft act of 1863, which is as follows:

Gen. CROWDER. No, sir; it is not included in this statute. I followed the provision of the draft act of 1863, which is as follows:

In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several States in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignments as to equalize the numbers among the districts and the several States, considering and allowing for the numbers already furnished, as aforesaid, and the time of their service.

Mr. QUIN. Will these be credited to the congressional districts or the State?

Gen. CROWDER. The President will adopt the subdivisions of territory that he finds most convenient. The bill does not commit him to congressional districts, counties, or any other political subdivisions.

Mr. TILSON. I was going to ask whether you would give the units. Personally I would favor the existing political divisions which are entities in civil government, like the States, counties, and townships within the counties, or wards within the cities.

Gen. CROWDER. The bill gives the President entire freedom in selecting the political subdivisions which he will make units in applying this act or the conscription.

Mr. TILSON. The unit in New England is either the town or the State, but in other States it may be different.

Gen. CROWDER. In my State it is the State, county, and township.

Secretary BAKER. The reason for leaving it to the President's discretion is exactly that because while in New England it is the town in Texas it is something else.

Mr. TILSON. In Texas it is the county.

Secretary BAKER. Yes.

Mr. GARRETT. Mr. Secretary, the questions I wished to ask you are more for a construction by you of the proposed statute in order that I may be able to answer many inquiries that have come to my office concerning the officers and matters of that kind involved in the proposed legislation. I want to ask you to state how those officers are to be appointed under this bill. It is set out on page 3 of the bill, but I wanted to get you to make a statement of it.

Secretary BAKER. They are to be appointed by the President without the advice and consent of the Senate below the rank of general officers, and with the advice and consent of the Senate for all general officers.

Mr. FIELDS. That is, everything above the rank of colonel?

Secretary BAKER. Yes, sir.

Mr. GARRETT. From what bodies does the President make those appointments—that is, does he make them from the Army or from the Officers' Reserve Corps?

Secretary BAKER. First, by ordering members of the Officers' Reserve Corps to temporary duty in accordance with the provisions of section 38 of the national defense act; by appointment from the Regular Army; the Officers' Reserve Corps; from those duly qualified and registered pursuant to the Dick Act (that is relatively a very small number); from the members of the National Guard drafted into the service of the United States; from those who have been graduated from educational institutions at which military instruction is compulsory, or from those who have been honorably discharged from service in the Regular Army, in the National Guard; from the volunteer forces, or from the country, and by the appointment of retired officers of the Regular Army to active duty.

Mr. GARRETT. When and how will officers be appointed from the country at large?

Secretary BAKER. The present intention of the department, and, of course, all of our intentions must be tentative because we await your orders—but the present intention of the department is to establish in each military department of the country intensive training camps for the purpose of receiving and training as rapidly as possible officer material—that is, persons in civil life who have had

some military experience, some collegiate or school military training, or who are otherwise adapted to receive rapidly intensive training which will make them officer material. From these training camps, as a result of their training, quite a large number of officers of minor grades should be evolved. In addition to that, the War Department is receiving offers of service and statements of willingness to serve from men all over the country who have had previous military experience of some kind or another. All of those records are being catalogued and analyzed with a view to determining each candidate's military experience, and a committee of experts will endeavor to select out of those the fittest for service.

MR. GARRETT. Will those training camps be open for civilians to enter for training as officers in the Army?

Secretary BAKER. They will be open to civilians under regulations which will make some initial or primary separations; that is to say, the department will not, if it can avoid it, accept in such a camp a man who, *prima facie*, has not the qualifications to develop into officer material; for instance, the man whose education is too limited, or the man who is physically disqualified.

MR. GARRETT. As I understand it, the department will prescribe some form of mental and physical examination for civilians entering the training camps?

Secretary BAKER. Not necessarily an examination, as that would take a great deal of time. The presentation of certificates from schools, colleges, and things of that kind would be substituted for examinations, in all likelihood.

MR. GARRETT. Are any of those military training camps established already?

Secretary BAKER. No, and none can be until you act.

MR. GARRETT. They will have to be established under this act?

Secretary BAKER. They are not provided for in the act specifically, but they are contemplated in the appropriations that go with the act.

MR. GARRETT. The department would issue orders for that purpose?

Secretary BAKER. Yes.

MR. GARRETT. Is it the purpose of the department, or is it your purpose, after the passage of legislation of this kind, to have issued from the department a bulletin of information that might be printed for the use of Members of the House, containing information along the line of the questions I have asked?

Secretary BAKER. We have sometimes done that, and we will be glad to do it in this instance, as Members will undoubtedly be much sought after for information.

MR. GARRETT. I have a great many letters about matters that I am unable to answer without calling on the department for the information, and that is the information I am trying to elicit by these questions.

Secretary BAKER. The Adjutant General, who will have general charge of that, will, doubtless, get a great many requests for information, and he will endeavor to anticipate as many of them as he can by a schedule of answers which can be distributed.

MR. GARRETT. Mr. Chairman, would there be any objection to having the Secretary convey to the Adjutant General the wish of this

committee that as soon as this legislation may be passed he will issue such a bulletin of information and instructions for the use of Members of Congress?

Secretary BAKER. I will be glad to do it, but I think it would be unwise to limit it that way. It should be for the use of the department and Members of Congress.

Mr. GARRETT. Mr. Secretary, I notice there is a good deal in the newspapers all over the country, and the President has issued, I notice, a statement appealing to the agricultural interests of the country, urging upon them to produce as much foodstuffs as possible to feed the people, and of course we are going to need supplies more than ever, I apprehend, after the passage of this law and the mobilization of this army. There is going to be this year more than ever before a scarcity of help to gather and harvest the crops of this country. Would it be practicable, in the event that the Army that is being raised and being trained under this act were not needed in the service, and if their services should be needed to aid in the harvesting of the crops of this country, would it be practicable for that to be done in such a great emergency? Of course, if that is not a proper question—

Secretary BAKER (interposing). It is entirely a proper question, but the answer is difficult, because it is obvious that a very great deal of material in the Army would be unavailable on the farm.

Mr. GARRETT. Yes.

Secretary BAKER. There doubtless will be men in the forces who have never seen a farm implement. To send a great body of untrained people into a harvest field would clutter up the field without advancing the collection of the harvest; but it would be entirely practicable, to the extent that men of agricultural experience are in the Army, by a system of furloughs to release them for duty gathering the crops.

Mr. GARRETT. That is what I was trying to bring out, exactly. There will be a great many young men in the Army who do know how to harvest crops. For instance, in the grain sections of our country it has been for a number of years very, very hard to obtain enough farm help to harvest them without great loss. I wanted to ask you this question for the purpose of having the department begin to think about matters of that kind and for the purpose, if it became necessary, of figuring out some method by which those who could render that kind of service, if practicable, might be released.

Secretary BAKER. Such a system, of course, would interfere with the training, but if the food situation becomes the paramount necessity, it could be done.

Mr. GARRETT. Of course, I have in mind, Mr. Secretary, just the brief period of harvesting only. Now, I want to ask you another question, Mr. Secretary, concerning the people who are employed in the industries of this country which are likely to be taken over by the Government under this act. Will those employees be covered into the service or drafted into the service as members of the Army or some branch of the Army?

Secretary BAKER. I fail quite to catch the force of your question, because this act does not provide for taking over any industries.

Mr. GARRETT. The resolution passed by Congress puts all the resources of the country in the hands of the President, and gives him power, I think, to take any industry in the country.

Secretary BAKER. The national-defense act does that.

Mr. GARRETT. Yes. The point I was getting at is this: For instance, there are a number of concerns in the country that have already volunteered their establishments to the Government. They employ a great number of people, many of whom would not be within the age limit as prescribed by this act and would not have certain other qualifications; and what I wanted to get at was whether or not there would be some construction placed upon this act whereby those plants that were taken over by the Government, or the employees of such plants, would pass into the service of the Government and be under obligations to the Government just as much so as a man out in the field.

Secretary BAKER. There is no provision in this act that looks in that direction at all. That, of course, is a thing known in European countries as industrial conscription. This act provides nothing on that subject, but this thought has been evolved by analogy to the Canadian practice, where, in exercising this draft or in eliminating from the volunteers persons who are indispensable in this industry, some form of button will be given them which will say that they are in the Government service in a certain kind of industry, so that it will be obvious to everybody why that particular man is in industry instead of in the military forces.

Mr. GARRETT. I understood there was a proviso added here concerning those industrial concerns of the country at the suggestion of yourself the other day.

Secretary BAKER. There is a proviso in the act which authorizes, among the discretionary exemptions, persons indispensable in industry; but there is nothing in the act that looks to strengthening powers already granted in the matter of taking over industrial enterprises.

The CHAIRMAN. You are speaking, Mr. Garrett, of the proviso on page 7, as follows:

That the President is authorized to raise and maintain, by voluntary enlistment or draft, as herein provided, special and technical troops, etc.

Mr. GARRETT. Yes; that is what I had in mind. Now, Mr. Secretary, do you not think it would be wise, in view of the fact that it is almost certain—I think we might say it is certain—that the Government will take over a great many industrial plants to manufacture material during this war, to make some provision in here for covering into the service of the country the employees in such particular lines or those who are above the age or below the age, as the case might be, or otherwise disqualified from the line? Do you not think we ought to make some provision for covering them into the service while that plant is being operated by the Government?

Secretary BAKER. Mr. Garrett, I think that is a very desirable power for the Government to have, but I doubt the wisdom of putting it into a purely military bill, which is already, perhaps, the subject of a good deal of discussion and some difference of opinion. I think if you start the policy of industrial conscription you have an additional question to face, which, in view of the fact that we are in

a great war and the War Department is still inactive, ought not to be discussed at this time.

Mr. GARRETT. I realize the danger of that, but what I had in mind, Mr. Secretary, was this: Personally, I do not believe that where the Government takes over a plant it would be safe to just take indiscriminately into the service of the Government the same men who might be employed in that plant, regardless of what their personal feelings might be concerning this war. What I have in mind exactly is a matter of protecting a plant operated by the Government during this war. I think every man in it ought to be required to take some kind of an oath and be placed under some kind of obligation to the Government different from a man in some other industrial concern which is not taken over by the Government. Now, that is exactly what I have in mind.

Secretary BAKER. Gen. Crowder suggests that the only precedent for that form of legislation in this country is a bill pending before the Interstate Commerce Committee of the Senate, growing out of the suggestions made by the President at the time of the threatened railroad strike, which authorized the taking over of the railroads and the impressment of persons during a national emergency.

Mr. GARRETT. Yes; I recall that. I do not believe men who are capable and able to bear arms ought to be exempted, whether they are in the industrial concerns or on the farm. I do not think we ought to show any discrimination, except where it is necessary for the good of all the people to do so, and I shall not be surprised if, within 18 months from now, the President should see the necessity of conscripting somebody to go to the farm. I do not know how that may be, but that would be my opinion about it, and I think I am pretty well familiar with conditions in my part of the country, and I know it is becoming already distressing in that part of the country, without any war. However, the point I wanted to bring out about this industrial question is whether we ought to take over a plant with men in it who have been working for that concern, many of whom might be opposed to our going to war with Germany or anybody else, and take them into the service and give them a position of confidence of the character that their qualifications in life absolutely forced upon the Government; that there ought to be some way by which we will have strict surveillance over them.

Mr. CRAGO. Mr. Secretary, I take it for granted that in incorporating in this bill a provision providing for additional forces to those which are now in existence, and providing for the principle of selection, you have been guided in that by your knowledge of the experience of the country in former wars and the failure of the volunteer system?

Secretary BAKER. To some extent, Col. Crago.

Mr. CRAGO. I have not the exact figures, but my recollection is that the last time we called for volunteers in any war was in 1898, and the first call, I believe, was for 125,000. Do you recall whether even that number responded to that call?

Secretary BAKER. I can not answer that.

Mr. CRAGO. The second call was for 75,000. Gen. Crowder, do you recall whether the second call was ever met?

Gen. CROWDER. I was out of the country almost immediately, and I did not follow those things.

Mr. CRAGO. I was, too; but I am reliably informed that it never was met.

Mr. CALDWELL. The only information I have on the subject is that the State of Texas produced a great many more men than were called for.

Mr. KAHN. The first 125,000 men responded very rapidly, and that was a popular war; but the second call for 75,000 men has not been completed to this day. We did not get the 75,000 men.

Mr. MCKENZIE. I would like to make one statement in regard to that question. So far as the State of Illinois is concerned, it furnished all the men for, and I think had 10 or 12—I have forgotten the exact number—provisional regiments all officered and ready to tender to the Government at any time.

Mr. SHALLENBERGER. If Col. Crago will permit, I think in fairness to the country it ought to be also taken into consideration that the country well knew after the first call was supplied that there was not going to be any need for any additional fighting men.

Mr. CRAGO. That is purely a matter of argument.

Secretary BAKER. I do not happen to have any accurate knowledge of that history, but a perfectly well-informed man told me last night that when it became necessary to secure forces for use in the Philippine Islands as occupational forces it was necessarily to devise an entirely new kind of force; because they were unable to complete the original call for volunteers.

Mr. WISE. Will not the records of the War Department show exactly who volunteered and all about it?

Mr. CALDWELL. Will you put the figures as shown in the records of the War Department in the record?

Secretary BAKER. Yes.

Mr. CRAGO. I think a reading of the military history of this country will convince anyone of the fact that we can not rely on the volunteer system, so called, and it has led to a great deal of trouble and discouragement in the conduct of every war in which we have been engaged.

It has been, in a way, a well-established principle in this country that where you form a citizen army three years has been regarded as about the maximum length of time a citizen soldier should be asked to serve. Do you think it would weaken the present plan very much if this term should be three years, or some provision should be put in here by which the service would be for the emergency, not exceeding, however, three years.

Secretary BAKER. I am afraid you would alarm the country more than quiet it by that provision.

Mr. CRAGO. Yes; there was some question in my mind as to the policy of the thing, at the same time it does not seem fair that one set of men should be asked to serve for the entire time.

Secretary BAKER. Of course this situation may be like the Napoleonic wars. I do not suppose there ever was a time when anybody thought the Napoleonic wars would go on for 3 years, but they did go on for 15 or 16, and this situation may have some analogies in that respect, and it would mean long periods of service; but I would rather rely upon the Congress to relieve those who had done their full share by subsequent legislation.

Mr. CRAGO. Referring to the second paragraph of section 6, page 11 of the corrected print, that paragraph reads:

All voluntary enlistments shall be in the Army of the United States, and those enlisted may be assigned upon enlistment to any force of said Army not required to be raised exclusively by selective draft.

As I understood Gen. Crowder or some one else to say yesterday, the purpose of that is to put the men who enlist in whatever branch of the service they are most needed, but the plain language of that section would refuse the man the right to enlist in his National Guard regiment or the Regular Army as he might choose.

Secretary BAKER. That question was brought up yesterday, and I said I saw no objection to putting in a provision that would allow a man to elect as between the Regular Army and the National Guard so long as there were vacancies in the one he preferred, but the purpose of the section, as was explained yesterday, was rather to have one recruiting system going on at a time rather than to have competitive recruiting systems.

Mr. CRAGO. I think that is very desirable, but I would hate, when these young men enthusiastically come forward to enlist in their favorite regiment of the National Guard, to have some officer of the War Department who is conducting that recruiting to simply say, "We need you worse in the Regular Army." I want the language so plain that no such interpretation can be put upon it.

Secretary BAKER. I have no objection to that.

Mr. CALDWELL. Col. Crago, on yesterday we asked the Judge Advocate General to submit to us a proviso which would give them an opportunity to select as between the National Guard and the Regular Army when they enlisted.

Gen. CROWDER. I can prepare one very readily, but I did not hear the request yesterday.

Mr. CALDWELL. You will remember also, General, that you were asked to prepare an amendment to the last section?

Gen. CROWDER. Yes; I remember that perfectly.

Mr. CRAGO. On page 14, section 9, there is a clause "other than the Regular Army." Gen. Crowder, what is the purpose of having that language, "that all officers and enlisted men of the forces herein provided for other than the Regular Army"?

Gen. CROWDER. Because the Regular Army status is very definitely fixed in the statute law of the country, and is the force to which the other forces are assimilated in the matter of pay, allowances, and pension. If you left out that phrase, the clause would receive the same construction.

Mr. CRAGO. Yes; that is what I was trying to get at. I thought it was surplusage.

Secretary BAKER. But to leave it out simply reaffirms privileges of that kind to officers of the Regular Army, and this shows that you mean to bring everybody not in the Regular Army into the same relation to those privileges as the Regular Army now enjoys.

Mr. CALDWELL. I would like to ask this question, which I think ought to be directed to Gen. Crowder more than to the Secretary. On page 12, paragraph 7, the question has been raised outside of the committee that the authority of the President to appoint in that section might be construed to change the system now adopted; that

all appointments above the grade of colonel are made by and with the consent of the Senate and those below by the President alone. I have had a talk with Gen. Crowder, and I would like to have his views in reference to that question stated for the record.

Gen. CROWDER. All appointments to the grade of general, under section 7, necessarily come under the general rule announced in clause 3 of section 1, which rule is that officers with rank not above that of colonel shall be appointed by the President alone and officers above that by the President, by and with the advice and consent of the Senate; but, independently of the fact that the situation is expressly provided for in this earlier provision of the act, the rule of construction would require us to hold that the authority given the President to appoint general officers in section 7 must be exercised by and with the advice and consent of the Senate, because we would have to have some positive legislation classifying them as inferior officers before the power of the President to appoint them alone under the Constitution could be exercised. I think it is provided for twice, and makes sure that in all appointments above the grade of colonel authorized by this bill the advice and consent of the Senate is necessary.

Mr. CALDWELL. I am satisfied about it myself, and I only wanted to get your opinion in the printed record, so that if there is any criticism from outside we have got an opinion here on the record to cover it.

Mr. SHALLENBERGER. General, would you state to the committee why you think it advisable that the Senate should not be allowed to pass upon the general officers commissioned?

Gen. CROWDER. I did not hear the question.

Mr. SHALLENBERGER. Will you state why it was thought advisable to change the law in regard to having the Senate approve the appointment of these general officers?

Gen. CROWDER. The law is not changed in this regard, but in regard to the inferior officers of the rank of colonel and below.

Mr. SHALLENBERGER. Is not this a change in existing law?

Gen. CROWDER. And you ask me why we think it is advisable to change the law? It was done, gentlemen, for the purpose of securing greater expedition in giving the Army a commissioned personnel. To resort to recess appointments in vacation of the Senate introduces an element of delay in the administration, and it was thought that this bill might well classify officers of the grade of colonel and below as inferior officers whom the President, under the Constitution, can appoint without the advice and consent of the Senate.

Mr. LUNN. I want to ask the Secretary, and through the Secretary Maj. Nolan, if he has the figures that will give the number of volunteers that will be necessary to fill up the requirements now contemplated by the War Department in the National Guard and the Regular Army. How many volunteers will you have to have to fill up the Regular Army, including the five increments?

Maj. NOLAN. I will put that information in the record.

Mr. LUNN. Have you any idea how many?

Secretary BAKER. It will be 75,000 more than we stated yesterday.

Mr. LUNN. You would have to have 150,000 volunteers for the Regular Army?

Secretary BAKER. Yes.

Mr. LUNN. And probably as many or more for the National Guard?

Maj. NOLAN. Two hundred and seven thousand for the National Guard. It would be a total of 207,000, approximately.

Mr. LUNN. The reason I am asking that ought to be evident. It seems to me the number of volunteers that are necessary will take in all that want to volunteer.

Secretary BAKER. If it does not take in all that want to volunteer, it seems quite likely that it will take in all who want to volunteer and who ought to be admitted, because one of the great difficulties about the volunteer system is the fact that we will have to reject for industrial reasons and for farm reasons, and to prevent the dislocation of the business and industrial capacity of the country a large number of men who would otherwise want to go.

Mr. LUNN. May I also ask whether there would be any objection to attempting—I do not like the word “conscription,” but that is the word I will have to use—to conscript everybody for particular lines of service, as, for instance, industrial and agricultural workers, and make every one of them feel that he is subject to call, and thus avoid what seems to me the idea in the popular mind that conscription is a penalty instead of a call to service? You know what I mean. A great many people say, “We do not want a conscripted army,” as if there was some disgrace in a conscripted army. Now, if there is some way by which we could make every one feel that he was subject to call, much of that would be avoided. For instance, in my own particular city we have 20,000 workers in one establishment doing some work for the Government. A certain number of those workers are now in the National Guard, and a certain number would be taken under the conscription act. I would not want those who remained behind, and who are 26, 27, 28, or 30 years of age, to feel that they were any less loyal and willing to sacrifice themselves than the men who went to the colors.

Secretary BAKER. The only practical way which has occurred to me is to give a button of exemption to them, which would be an exhibit showing Government service in another capacity; but a general conscription of the entire population of the country and the reassignment of individuals to remain at their tasks or their transfer to new tasks would take so long a time and would be such an intricate matter that I am afraid it ought not to be undertaken at this time.

Mr. LUNN. Is there not some way by which a general acknowledgment could be given to those who were engaged in important work, whether agricultural or industrial, or in the transportation service, going to show that they are equally serving the country with those that go to the front?

Secretary BAKER. I am afraid that is a matter of argument rather than of legislation.

Mr. TILSON. At the conference of the gauge makers yesterday with the munitions standard board and the Ordnance Department, a unanimous cry went up that already the men who were engaged in making those absolutely necessary gauges are being taken away—that is, that they are voluntarily going into the National Guard and otherwise enlisting to serve as private soldiers or something else, and these manufacturers were holding up their hands and pleading to know whether there was something that could be done to prevent

those men from going away—that is, those men who were so absolutely necessary at this time. Mr. Secretary, is there anything being done, or has anything been done, in regard to those who are already members of the National Guard?

Secretary BAKER. Every case that is presented to me and verified so that I may be sure that the man's relation to the industry is as important as he thinks it is will be excused from service in the Regular Army and National Guard. Wherever he may have more important industrial work such as gauge making—

Mr. TILSON (interposing). These were not the workmen, but they were the manufacturers and heads of the concerns. They ought to know whether these men are important to the industry or not.

Secretary BAKER. There is a perfectly simple process by which they may certify those cases to the War Department, and we will excuse them.

Mr. TILSON. They gave a number of instances where absolutely indispensable men felt that they could not honorably stay at home. They are now members of the guard and they felt they ought to go and help.

Secretary BAKER. We will excuse all indispensable men.

Mr. GORDON. Would you excuse men because they are engaged in making ammunition for a foreign country? Is that an obligation primary to their obligation to serve here?

Mr. TILSON. These manufacturers were called upon to say how many men could be turned over to the Government to make gauges, etc., for the Government, but they say that the number is being lessened day by day because of the men entering the National Guard.

Secretary BAKER. I have no hesitation in answering Mr. Gordon's question: Those Americans of skill who are indispensable in the manufacture of munitions for those countries associated on the same side with ourselves in this war are, in my judgment, performing as valuable a service for this country as they could perform if they were actually in our Military Establishment.

Mr. GORDON. I supposed that Mr. Tilson referred to the Mexican trouble of last summer.

Mr. TILSON. No, sir; this conference was held yesterday in regard to this very matter.

Secretary BAKER. In the meantime I have had a couple of complaints since I last saw you that the representatives of the Ordnance Department are so zealous in their efforts to secure operatives for the arsenals that the private manufacturers are complaining that we are seducing away their operatives.

Mr. LUNN. I feel that the military arm is, of course, the first line of defense, but it is useless without all of the rest; and we are going to find out, if we have a long struggle, that the experience of Europe is vital to us. We have got to face the problem and keep our agricultural and industrial forces up to their highest point of effectiveness. I would like to ask if anything has been done definitely in the matter of planning for this emergency that may come?

Secretary BAKER. The most expert advice we can get by consultation with the men connected with industries, men who are familiar with their manufacturing and managerial operations, is being obtained, and we are beginning to formulate plans which we can put into effect.

Mr. LUNN. Has there been any consultation with men like Mr. Johnson, who is the president of an organization of workers?

Secretary BAKER. I can not say, definitely; but I can tell you that the Department of Labor, the Civil Service Commission, and different forces which are at the disposal of Mr. Gompers have all been consulted in an effort to supply mechanics.

Mr. LUNN. Would it be practicable, instead of making this conscription and simply limiting it to persons between the ages of 19 and 25 years, to revise it and make it into various classes, and then simply call for the persons in the first class, aged from 18 to 25 years?

Secretary BAKER. That is possible, but it would be unwise.

Mr. LUNN. On account of crippling the industries?

Secretary BAKER. No; I think the country would not like the spectacle of the war being fought by boys who were of a certain age.

Mr. LUNN. That, it seems to me, is what we are doing now.

Secretary BAKER. We are going to enroll all of the boys between the ages of 19 and 25 years, and then choose by lot, getting some 20 years old, some 21 years old, and so on.

Mr. LUNN. Why not make the limit 40 years?

Secretary BAKER. We would then be interfering too much with the industries.

Mr. LUNN. It is not a class of boys 19 years of age, but a class composed of men between the ages of 18 and 25 years.

Secretary BAKER. That would be the effect of the operation of this draft. A man will draw lot No. 1, and that man would go with the first 500,000 troops, while the man who drew lot No. 2 would go with the second 500,000 troops.

Mr. LUNN. Men from 25 years up would be entirely eliminated from any possible conscription?

Secretary BAKER. Yes.

Mr. LUNN. That is the particular point I had in mind. If you should go to the country and say we are all liable to serve and that there is universal liability of service, that would be strong, but when we limit it to that particular class, it is different. Now, could we, in view of the haste that is necessary and of the emergency that exists, revise it and make several classes, one from 18 to 25, another from 25 to 35, and another from 35 to 40, and so on? The class from 25 to 30 would not be called out unless there was something very serious.

Secretary BAKER. There would be no possible objection to putting that in—

Mr. LUNN (interposing). Would it not weaken the opposition—I mean the opposition of those people who favor universal training?

Mr. GARRETT. You do not believe that this army composed of boys from 19 to 25 years of age is universal service?

Secretary BAKER. That is not the point he makes. His point is this, if I correctly get it: He would like for the bill to provide, first, for a class of troops between the ages of 19 and 25, and call that class No. 1. The President would draw upon that class until it was exhausted; whereupon the President would have by this bill power to make a fresh enumeration of those between the ages of 25 and 30; then, when that class was exhausted, he would make a fresh enumeration of those between the ages of 30 and 35, and so on. This bill

would constitute all such persons as classes to be drawn on, if the emergency required.

Mr. LUNN. That is the idea; the registration of all those classes and utilizing all of them. Speaking from my experience as an administrative officer in a city of 100,000 people, I know that we could make that registration in two or three days.

Secretary BAKER. I have not the least objection to that being in.

Mr. LUNN. I may be giving the wrong solution of it, but, to my mind, it would take away a tremendous percentage of the opposition that now exists.

Secretary BAKER. It would enormously increase the amount of clerical service necessary to the registration and to tabulate the results, but in an emergency of this kind clerical work—

Mr. LUNN (interposing). I know, but that particular work is not comparable to the danger that might come in the way of ill feeling.

Secretary BAKER. I have no possible objection to your suggestion.

Mr. NICHOLLS. Mr. Secretary, along the same line of Mr. Lunn's suggestion and of your suggestion about taking help away from the private manufacturers, do you think it would be advisable for the department to offer a higher scale of wages to those expert mechanics who work in the arsenals? That question came up yesterday, and it was suggested that they could not get enough expert labor. What do you think about the advisability of our paying more to those men and meeting the price of the private manufacturers?

Secretary BAKER. We always meet their price. Our plan in operating the arsenals is to make the Government a little the best employer in every neighborhood where they are located.

Mr. NICHOLLS. I did not know that.

Secretary BAKER. We have shorter hours of work and better conditions of labor; we have more vacations and holidays than is common among private employers, and we pay in money wages the average of the neighborhood in which the industrial occupation is carried on.

Mr. NICHOLLS. I was under a misapprehension, then.

Secretary BAKER. The Department of Labor constantly studies the labor conditions in the neighborhoods where the arsenals are located.

Mr. HULL. Mr. Secretary, when was the national-defense act passed?

Secretary BAKER. In June, 1916.

Mr. HULL. It had the approval at that time of the President, did it not?

Secretary BAKER. He signed it.

Mr. HULL. Did he indorse it?

Secretary BAKER. I am not the spokesman of the President beyond stating the fact that his official signature was attached to it.

Mr. HULL. Is it fair to say about those who believe that that act ought to be tried out now that they are not standing behind the President?

Secretary BAKER. I hope I can be excused from answering that question. The extent to which a man is standing behind the President is a sentimental question, too.

Mr. HULL. It is not your intention to draw on it if we pass this act?

Secretary BAKER. I think, Mr. Hull, I am entitled to say for myself and my associates, many of whom, as you knew from their testi-

mony before you, were not convinced of the wisdom of the act as a matter of policy—I think it is fair to say for myself and for them that the act has been loyally operated according to its intent and spirit so far.

Mr. HULL. Yes; but it was framed by Congress for an emergency similar to the one we have now.

Secretary BAKER. I do not think it was.

Mr. HULL. It was not?

Secretary BAKER. I think not.

Mr. HULL. Certainly we had an emergency thrown up to us at that time.

Secretary BAKER. I think there was an emergency in the Military Establishment of the United States to reorganizing the Military Establishment growing out of the obvious failure of the Dick bill to accomplish the purposes intended; but it must be clear that the national defense act was not passed for the purpose of raising an adequate force for participation by the United States in a world war.

Mr. HULL. It was passed by Congress, and, I think, received a unanimous vote, except one, in Congress, three months after the President had been through the West saying the world was on fire and to prepare.

Secretary BAKER. Yes.

Mr. HULL. And it met his approval.

Secretary BAKER. I hope it will not be understood that I am passing any judgment on the—

Mr. FIELDS. If the gentleman will yield to me, I would like to say that the chairman of the committee stated on the floor of the House in presenting the bill to the House that it was a peace measure and was not an emergency measure.

Secretary BAKER. I would like to make a statement for the record on that subject. I think the national defense act was a very, very marked improvement on the military policy of the country, and I think its beneficial effect has been felt and is being felt as a peace-time modification of the permanent military policy of the country.

Mr. HULL. I do not agree that it was a peace-time measure. It was an emergency pure and simple, and was so framed by this committee and met the approval of Congress, but that is not a question which is worth while now. I simply want to say one thing more in regard to a question of Col. Crago in regard to the volunteering in 1898. I do not know very much about military affairs, but I do know that at that time I had a company enlisted and partly trained and tendered to the Government, and I was told they could not be used. Now, what the reason was I do not know. I might say further that I am very much impressed with the idea—and I think I am just as loyal as any member on this committee—that the proper thing for the country to do would be to give a fair trial to the volunteer system.

Mr. SHALLENBERGER. Mr. Secretary, is it not fair to say that in the national-defense act which Congress passed and in the volunteer act which Congress passed that you have two laws under which you could have raised an army if you had seen fit to do so, but you have decided not to adopt the volunteer policy, and that is what requires this new law?

Secretary BAKER. It has already been suggested by Gen. Crowder, and is to be followed by a memorandum prepared by him, that the volunteer act of 1914 was so far modified by the national-defense act that additional legislation would have been required to raise a volunteer army in accordance with the intention of those two acts taken together. But the explanation of the present measure is undoubtedly that the department has come to the conclusion that it is wiser not to try the volunteer system for the entire national force now deemed necessary, and therefore this act departs from that intention.

Mr. HULL. I am impressed with the idea suggested by the questions of Mr. Lunn, and that is by your system you are not going to get the men that we might get if we called for volunteers. There are a number of men in this country who are anxious to go into this war, and their ages generally are over 25, and they are good men, and they want to fight, and I believe we ought to give them the opportunity which they seek before we conscript the younger men.

Secretary BAKER. I think you would agree, Mr. Hull, that no policy could be adopted which allowed each man in the country to fight his share of the war the way he wanted to fight it; some supervising plan and intelligence must be adopted. Now, I think it is unanswerably demonstrated that in this war, the greatest in the history of the world, the industrial organization of a nation is not less important than its military organization, and I think it is undeniably demonstrated that men under 25 years of age taken from the body of the people will less dislocate the industrial and commercial and social life of the Nation than men taken of a superior age to that, so that the suggestion of a limitation of age and the exclusion of men loyal, patriotic, and brave can be reconciled as addressed directly to the national interests as demonstrated by foreign experience.

Mr. HULL. That may be true, and I have the highest admiration for the experts in the War Department and for expert opinion on anything, but there is one class of expert opinion which Congress is better able to give than any of them, and that is what the people will stand for, and they seem to forget that. Now, we are facing a situation in this country, and I think we ought to get down to the grass roots on it, and that is that there are a lot of people who want to go to war, and I think they ought to be given that opportunity.

Secretary BAKER. With the greatest respect for your desire to do right in the matter, of which I have no question in the world, I think the people of the United States are looking to you as leaders. They are asking you, because of your superior opportunities, to consult the experience of the world and tell them what the American people ought to do to participate in this great struggle; and if you do the right thing, without prejudice to any opinion I may have as to what the right thing is, the American people will follow you.

Mr. LUNN. May I ask this question: Do you believe there would be any failure on the part of men of 40 who want to volunteer, as you say, to secure the opportunity, when you have need for, say, 350,000 volunteers? I personally do not believe you will get that many volunteers.

Mr. HULL. My idea is that as we all understand, the volunteer system is founded on the idea that the man who gets up the company is the enlisting officer.

Mr. CRAGO. And that is the most vicious system we ever adopted.

Mr. LUNN. In other words, if Mr. Hull will permit me, the word "volunteer" as used in this bill is a fraud and a sham because you can not use the word "volunteer" when a man volunteers to enlist in the Regular Army.

Mr. KAHN. Mr. Chairman, I would like to put in the record in connection with the statement of Mr. Hull, the following letter:

59 WEST FORTY-SIXTH STREET, NEW YORK CITY.

DEAR MR. KAHN: I do not know whether it is better to write to a member of your committee in favor of or one opposed to conscription, so I have solved the problem by writing both to you and to Mr. Dent. As the mother of two sons, I urge conscription on your committee. It is the only just, equitable, and democratic way; otherwise, the flower of the country is sacrificed. We mothers with our sons want to defend this country, but we resent thus saving a lot of shirkers. That is the woman's point of view, but from the military point of view it is also the most efficacious way.

Yours, very truly,

CATHERINE PECKHAM.

APRIL 10, 1917.

The CHAIRMAN. Mr. Secretary, Mr. Fields has been necessarily absent from the committee on account of illness in his family and has not heretofore had an opportunity to ask any questions.

Mr. FIELDS. Mr. Secretary, do I understand that if this law is enacted, no man above 25 years of age can enlist if he desires to do so?

Secretary BAKER. No, sir; men up to 40 years of age may be permitted to enlist until the Regular Army and National Guard are filled to war strength, which would comprise a number to be stated by Maj. Nolan when he has figured it out.

Mr. FIELDS. After the Regular Army is filled to war strength or when you resort to conscription under this bill—of course, I understand the bill provides for conscription of men between 19 and 25—does that exclude men above 25 years of age if they still desire to enlist?

Secretary BAKER. Yes; it excludes men who desire to enlist above 25 years of age after the initial number necessary to complete the Regular Army and National Guard are taken; some 300,000, approximately.

Mr. FIELDS. When the Regular Army and the National Guard is completed you will have about how many men in the service?

Secretary BAKER. 614,000.

The CHAIRMAN. 623,000 is the way I figure it.

Secretary BAKER. The record will show the number accurately. I have not the exact figure in my mind.

Mr. FIELDS. How many men will you get by conscription?

Secretary BAKER. 500,000.

Mr. FIELDS. As the chairman has stated, I have been prevented from attending the former hearings of the committee because of illness in my family, and probably these same points have been discussed. Why the necessity of conscription before trying out the volunteer system and before giving the people of the country a chance to volunteer?

Secretary BAKER. Three reasons have been stated for that.

Mr. FIELDS. That is already in the record?

Secretary BAKER. Yes. Shall I state the three reasons again?

Mr. FIELDS. No; if that information is in the record, all right. What is the necessity at this time of conscripting boys under 21 years of age, Mr. Secretary?

Secretary BAKER. The age limits are fixed in deference to the experience of the country as to the age of men who have fought in our previous wars. The original age suggested was 18. The average age of men enlisted in the Civil War, it was stated yesterday, was, I think, something like 18 or 19. Young men of that age are deemed especially susceptible of training and especially valuable as soldiers.

Mr. FIELDS. If I understood the discussion between Mr. Lunn and yourself a while ago correctly, it would be the plan to call the young men or the men of 19 first, and then on up; am I correct in that?

Secretary BAKER. No.

Mr. FIELDS. Would those of the higher age be called first?

Secretary BAKER. No; the total number of available men between the ages of 19 and 25 would be enrolled, and out of that total of 7,000,000 the physically unfit and those disqualified would be eliminated, reducing it probably to about 4,000,000, and out of the 4,000,000, 500,000 would be chosen by lot.

Mr. FIELDS. As I understand it, your reason for limiting the maximum age to 25 is for the protection of the industries of the country; and that is what you base your reason on?

Secretary BAKER. That is the reason for the choice of that age.

Mr. GORDON. A further reason was given that they would not be as likely to have formed permanent engagements, as for instance, they would not be as likely to be married, etc.

Secretary BAKER. Less likely to be married and to have families to leave behind, and all that sort of thing.

Mr. FIELDS. Mr. Secretary, I have been in the country while this discussion has been going on, and I am frank to say that I believe the age limit of 25 will not meet the approval of the country; neither do I believe the age limit of 19 will meet the approval of the country. Here is the way the people of the country generally talk about it: "This is a man's war, and the men of America should fight this war and not the children." I think Mr. Hull very well said that we have got to keep in harmony with the wishes of the people. It is true that the people look to Members of Congress as their leaders, yet the American people are free thinkers, and I think the department and this committee and Congress may well feel the pulse of the American people on this important and vital proposition. If we enact a law here that fires the brain of the American people, discourages a lot of men who want to go into the war, it will be made an issue in the future, and it may result in changes at a critical time, and I think that those are points that may well be considered. I am frank to say that I do not believe the country is willing to accept the proposition of making it a war, as they say, by the children of America. I have heard more or less discussion of the matter in three States, and the general feeling is that this is a man's responsibility. The men of America are behind the President and behind the administration, but they want it to be a man's war, and they

want the men to meet the responsibility. I think the limit of 25 is too low. Those are my views and the views of a number of men I have talked with, and I would like to put them in the record.

Secretary BAKER. I want to say I have proof of that belief. This is a democracy, and the people of the United States ought to have what they want, and it is your duty and mine to help them get what they want.

Mr. FIELDS. Exactly so.

Secretary BAKER. But for 20 years I have followed a political philosophy which I think is vindicated by its results. I have done what I thought was right, explained it to those to whom I was accountable, and, so far as I can recall, they have always both welcomed the explanation and approved the action.

Mr. FIELDS. So have I; but I have always studied the needs and wishes of the people and tried to keep as nearly in harmony with their needs and wishes as I consistently could.

Mr. McKENZIE. In speaking of the geographical divisions, when you come to put this law into effect will population be taken into consideration along with the different political subdivisions?

Secretary BAKER. Yes; according to the census of 1910.

Mr. McKENZIE. I make mention of that because one county might have ten times as much population as another.

Secretary BAKER. It will be on the basis of population and not on the basis of territory.

Mr. McKENZIE. When this law is enacted it will take several months to get the machinery into working order to carry out the administrative features of the law, will it not?

Secretary BAKER. Undoubtedly some time, but how long I would not like to forecast.

Mr. McKENZIE. In the meantime you will be filling up the Regular Army and the National Guard by volunteer enlistment, which would include men between the ages of 18 and 40 years?

Secretary BAKER. Yes, sir.

Mr. McKENZIE. That will give opportunity to all the men who are over 25 years of age and who desire to do so to enlist in either the National Guard or the Regular Army.

Secretary BAKER. Unless they should be more numerous than the number needed.

Mr. McKENZIE. Will it be the policy of the department to undertake to carry on the volunteer system and the conscriptive system at the same time; or is it the hope of the department to get the Regular Army and the National Guard filled up to the proposed strength before the conscription is put in force?

Secretary BAKER. It is the hope of the department we will be able to complete the Regular Army and the National Guard up to war strength before beginning conscription for the additional forces, if the Regular Army and National Guard can in fact be filled by volunteers.

Mr. McKENZIE. And if they can not, then conscription will apply?

Secretary BAKER. Then conscription will apply to all three.

Mr. GARRETT. With Mr. McKenzie's permission, I would like to ask the Secretary if the department has discussed or has tentatively agreed as to what would be considered a reasonable time to give the

people an opportunity to volunteer to fill up the Regular Army and National Guard?

Secretary BAKER. The department has not considered that, Mr. Garrett.

Mr. McKENZIE. Would it be possible for your department to insert in the record a table showing the number of men that will be required from each State to make up this quota?

Secretary BAKER. Maj. Nolan has agreed to do that, and it will be put in the record.

Mr. WISE. Mr. Secretary, there is just a little matter I want to call your attention to. It seems to me that the language is rather broad on page 10, line 6, in reference to the officers and agents. The language is, "and the officers and agents of the several States shall hereby have full authority for all acts done by them in the execution of this act by the direction or request of the President." I think I know what the purpose of it was, but don't you think that language is rather broad; that is, to say that anything a man does shall be legal?

Gen. CROWDER. The purpose is to give them Federal authority for their acts.

Secretary BAKER. It does not go any further than to authorize everything that is properly within the scope of that authority.

Mr. WISE. He could do an unlawful act, however.

The CHAIRMAN. That is a matter that we will consider.

Mr. FIELDS. Mr. Secretary, I overlooked one question that I wanted to ask you: In securing the officers for this emergency, there are a great many men in the country who have served one, two, three, and probably more enlistments and who are fine military men. They are physically capable, but their education is so limited that they could not pass the required examination. Yet they are well educated in the military service. Would it not be a good idea to consider the advisability of omitting the examination of those officers so as to get the benefit of the services of those men; that is, so far as their academic education is concerned?

Secretary BAKER. Undoubtedly it would be very unwise to make a purely academic test as the criterion to judge the military fitness of such men as you refer to. We will have their records examined and their military experience noted, and the purely academic part of the test will be subordinated to that of military efficiency.

Mr. FIELDS. I wanted to bring that out.

Mr. ANTHONY. Mr. Secretary, I think that perhaps we have been a little slow in commissioning valuable material to fill vacancies in the rank of second lieutenant in the Regular Army and that that work might be expedited. Don't you think that it could be expedited by waiving the mental examination in cases where it is perfectly obvious that the candidate can pass it?

Secretary BAKER. Unhappily, the inside of a man's mind is not obvious from an outside inspection, but that has been considered, and we have had a very large number of very excellent young men to take the examinations which we have held for second lieutenant. The Adjutant General is now going over a list of those who were rejected and is going to make a new list, showing those who were rejected for shortage in trigonometry, for instance, and eliminate that so that he

can present to me a list of men who can be said to have shown capacity in the indispensable qualifications.

Mr. ANTHONY. I would like to give you a concrete case that came to my own attention: Yesterday I forwarded to you the application of a young man of just the proper age—22 years—who had been through a military school and only last year received a scientific degree from Yale. He is in every way qualified, but that young man will have to take a mental examination, and it will probably be several months after he stands the examination before his papers are examined and he can be finally ordered into training. Now, in cases of that kind, they could be immediately given their physical examination and put in training and thus save several months' time.

Secretary BAKER. It is possible that a rule might be made that would do that, and yet, unhappily, it would require discriminations which might be regarded as based on prejudice. I suppose that nobody would have any difficulty in saying that a scientific degree from Yale was a pretty adequate certificate of scientific attainments of the academic sort, but, of course, there are a larger number of scientific schools in the country, some of them conducted by correspondence, and if you tried to make a line of division there it would be invidious, I am afraid.

Mr. ANTHONY. It seems to me that it would require no great discretion on the part of The Adjutant General to say that this man is properly qualified. When the Navy Department adopted that course, I objected to it because we were not then in a state of war. That rule was adopted by them some months ago, and I believe that in this emergency the War Department should adopt it also.

Secretary BAKER. I have no doubt that the War Department will adopt something of that kind.

Mr. ANTHONY. Have we time to go into the merits of the bill?

The CHAIRMAN. If the committee wishes to go over it again.

Mr. ANTHONY. I would like to bring out one more point. I am heartily in accord with the idea of doing everything possible, and I want to do everything possible to at once give you this Army of 500,000 men that you want, in addition to the Regular forces, but I am impressed with the fact that with the complicated machinery of this proposed conscription several months must elapse before you will get the enrollment of that number of eligible men, and then, perhaps, several months more will elapse before they can be reported to the training camps. Now, what objection could there be to authorizing the enrollment at once of volunteers, or volunteer units, in the meantime, until you get your conscription machinery in operation? Is it not perfectly patent on the face of it that there will be several months of time absolutely lost in enrolling an army of 500,000 men, as authorized here?

Secretary BAKER. A volunteer unit of what ages?

Mr. ANTHONY. Of military age, up to 40 years.

Secretary BAKER. I think that would be very unfortunate.

Mr. ANTHONY. Why?

Secretary BAKER. For the reason which I have stated in the record, that it would dislocate the industries of the country.

Mr. ANTHONY. Right on that line, my impression has always been that in the Spanish-American War, and as a general principle, that

men will volunteer for military service who are the best able to get away from their employment and families.

Secretary BAKER. My experience and yours are at variance on that subject. I have letters on my desk now from three young men who are in a law office. All three of them want to volunteer, but they have found no way by which they can decide among themselves which shall go and let the other two remain at home. If all three should go, it would break up their business entirely, but if a conscription system should come along it would probably take only one.

Mr. ANTHONY. That is an individual matter for them to decide. Do you prefer to wait four or five months to get this army rather than to get it within 30 days?

Secretary BAKER. That is a question of judgment. I have no way of affirming or denying that, but my belief is that we will get them faster.

Mr. CALDWELL. Suppose, instead of saying all men of military age up to 40, we say from 18 to 25?

Secretary BAKER. I think that would be less unfortunate but still unfortunate.

Mr. KAHN. Along that line of questioning, could you furnish 500,000 volunteers, if they did volunteer immediately, with the necessary equipment?

Secretary BAKER. It could not be done.

Mr. ANTHONY. But you could put them in training, couldn't you?

Secretary BAKER. I do not believe that they could be put in training under any circumstances that would even make a respectable appearance of training.

Mr. ANTHONY. You could give them arms.

Secretary BAKER. We could not even give them arms.

Mr. ANTHONY. You have rifles.

Secretary BAKER. We have the rifles, but that is only a part of the arms.

Mr. ANTHONY. They could wait a month or two for the uniforms.

Secretary BAKER. I do not think you would have the spectacle of men training in civilian clothes.

Mr. ANTHONY. I never saw men training that were not miscellaneously uniformed.

Mr. GORDON. Mr. Secretary, I was very much impressed with your answer as to the volunteer system taking from the life of the community or the country the men who were most needed. My observation is that it is just the other way—that you take men under the volunteer system who can get away, or men who have no fixed occupation. In the case of those three lawyers, all of them might be drafted under the conscription system.

Secretary BAKER. They might be.

Mr. GORDON. But if you had the volunteer system they could talk it over among themselves. As a matter of fact, all of them might want to volunteer. You referred to the head of a theological school who wanted an exception made in this bill in favor of theological students, but that reasoning would not apply to law students. I just make that observation.

Secretary BAKER. I would like to answer a part of your observation. You say that your observation is that it is the unemployed and unattached who volunteer.

Mr. GORDON. I did not say the unemployed.

Secretary BAKER. Then, the dispensible or those who can be spared; but I believe that you will be unable to prove that by the history of any system of volunteering conducted in any civilized nation in the world at any time. I think what happens is that the fine-spirited women and the fine-spirited men consult one another and agree that no private consideration ought to stand in the way of the public need, and that the unattached and the dispensible people by reason of their being unattached and dispensible persons are the persons who are least swayed by the spirit which animates those who early volunteer.

Mr. GORDON. Was that true in the Mexican War?

Secretary BAKER. I can not answer as to the Mexican War, but I believe it to be a true generalization of all wars in all times.

Mr. GREENE. Let me add about three lines of personal experience as a recruiting officer in 1898.

Mr. GORDON. You were in the Organized Militia, and your experience there would afford no criterion by which to determine this. You had men in the Organized Militia—men holding offices—

Mr. GREENE (interposing). Will you let me state my own qualifications? My observation was in line with what the Secretary has stated. In the first place, the men who had arrived at an age of maturity and who had passed out of the somewhat floating class of young men—that is, the men who had formed business, social, and domestic relations—were the men who realized most strongly their duty to the country, and I, as a recruiting officer, in 1898 turned down a great number of such men, because in that emergency it did not seem that they should be permitted to do this. I also found the greater number of slackers and shirkers came from among the young unattached men, who have been described as dispensible people.

Mr. GORDON. On what theory did you reject the applications of recruits for that service?

Mr. GREENE. First, on the theory that being a recruiting officer I had some authority to do it.

Mr. GORDON. Of course you did not have any.

Mr. GREENE. I did.

Mr. GORDON. Where did you get authority to reject a volunteer who wanted to enlist in the service of his country under a volunteer system?

Mr. GREENE. I can not now examine all of the statutes on the subject.

Mr. GORDON. You could not reject them except for a legal reason.

Gen. Crowder, will you pardon me for citing a few authorities on that observation I made yesterday upon the question of the power to suspend the writ of habeas corpus? In support of the statement I made that it could only be lawfully done by Congress, I would like to cite to you four authorities. The first is a decision by Chief Justice Taney in the case of *ex parte Merriman*, in the Circuit Court of the District of Maryland, the same being case No. 9487, decided at the April term, 1861. The next is a decision by Chief Justice Marshall in the case of *ex parte Ballman* (4 Cranch, U. S., 101), in which he held that the power to suspend the writ of habeas corpus is in Congress. Mr. Justice Storey in *Third Storey* on the Constitution, section 1336, held the same view.

I also cite Thomas Jefferson, who was President of the United States at the time of the Burr conspiracy, and who desired the writ suspended in certain parts of the country. He took the matter to Congress instead of attempting to exercise that power. Permit me also to cite Fifteenth American and English Encyclopedia of Law, second edition, page 217, published in 1900, in which all of the authorities are collected, or most of the authorities are collected, and where in the text it is said that Congress and the President acquiesced in the view of Marshall, Storey, and Taney that it was a legislative function, because when the question was raised at the beginning of the Civil War, Congress on March 3, 1863, passed a law conferring limited authority upon the President to suspend the writ, and the President, without exception, following the enactment of that law worked under it, which would be a sort of construction given by President Lincoln himself that the power resided in Congress.

Gen. CROWDER. I am more or less familiar with the authorities you have cited. Most of them are familiar cases, but all of the cases you have cited were decided prior to the Civil War period.

Mr. GORDON. The Taney decision was during the Civil War.

Gen. CROWDER. It was delivered at circuit. That opinion was delivered at circuit.

Mr. GORDON. Yes.

Gen. CROWDER. This is true, that notwithstanding the fact that Congress has assumed authority to exercise it, in the act of March, 1860, prior thereto President Lincoln suspended the privilege of the writ as an Executive act and the Attorney General sustained him. In late text books the decisions prior to the Civil War or those made during the Civil War are reviewed, and the text writers say that the weight of authority is that the power resides exclusively in Congress, but I do not think that it is definitely settled, authoritatively decided that the President can not exercise that power.

Mr. SHALLENBERGER. Mr. Secretary, one of my questions had to do with your proposition as to the men who are exempted from service because they are engaged in some industrial capacity, and you say that we ought to do that because of the experience in Canada. What would you do with those men? We will say that eight men will be drawn, but you have eight times as many men drawn under this act as you will take the first time. Then, only one of those men will be taken, and he performs an honorable duty. But the other seven men are just as loyal and are just as earnest and anxious to serve, but you would get somebody who may be working for \$10 a day, while you may not get those other men who are willing to work for 50 cents a day—

Secretary BAKER (interposing). Let me correct you at that point. Each of the seven persons not drawn for the first contingent would be given a paper indicating the contingent in which they would be drawn.

Mr. SHALLENBERGER. You would give them something to wear to indicate that the same as you would give it to the other men, I suppose?

Secretary BAKER. I can see no objection to that.

Mr. SHALLENBERGER. In Canada, as perhaps you are well aware, the reason for giving them a button is because they have the volun-

teer system, and the man who is not serving his country there is presumed to be a slacker, and the button is worn for that reason.

Secretary BAKER. Exactly; it is to protect him against the moral compunction which, as I said yesterday, is more severe than any penalties of the law.

Mr. SHALLENBERGER. If we have the draft here, the same reason for the issuance of that button does not apply at all, unless you give everybody a button who has been drawn.

Secretary BAKER. Yes; it would not be necessary in a country where you had the draft system in operation, because it would be understood that everybody drafted had been taken.

Mr. SHALLENBERGER. Certainly. I think it is fair to say that the main issue in this bill is how we are going to raise this army, and the only provision in this bill indicating that is on page 6, line 23, "under such regulations as the President may prescribe not inconsistent with the terms of this act." That is all the information we have as to how the law is to be applied. Now, there is one fundamental question which I think you must have considered and about which I would like you to tell us what your intention is, if you can, and that is whether this is to be administered by the military or by the civil authorities of the Government?

Secretary BAKER. The intention, so far as it is formed, is to have it presided over by a military officer, coordinating with himself the governors of the various States and such military and civilian aid as can be summoned rapidly to execute the law.

Mr. SHALLENBERGER. What I have in mind is whether the board of the tribunal which shall pass on the exemption of these men is to be a military tribunal or a civil tribunal.

Secretary BAKER. My preference would be to have it a mixed tribunal; to have local representatives, State representatives of a civilian character, and have them sit with military officers.

Mr. SHALLENBERGER. But is that an answer? Can we have a divided decision? Is the decision to be finally with the civil or military authorities?

Secretary BAKER. That would depend, of course, upon whether it was a majority decision, and then upon the constitution of the board. My mind has not gone to that.

Mr. MORIN. Mr. Secretary, do you not think, in view of the statement made to the committee by Mr. Greene, that it would be well to extend the draft to the age of 40, so that the men not indispensable to industry would be required to do their share of the service?

Secretary BAKER. That question was raised by Mr. Lunn in one form, and I have said I could see no objection to it provided the earlier drafts be limited to the younger years for the industrial reasons already stated.

Mr. Chairman, Gen. Crowder has now the President's proclamation, and is able to give an answer to the question asked by Mr. Harrison.

Gen. CROWDER. It is true that the President's proclamation and likewise the statutes of the United States classify as an alien enemy a German subject who has not completed his naturalization but who has taken out his first papers. The statute of the United States is a

statute of the year 1798, and it is preserved in section 4067 of the Revised Statutes and, briefly, is as follows.

Whenever there is declared a war between the United States and any foreign nation or any Government or any invasion or predatory incursion is perpetrated, attempted, or threatened against the Territory of the United States by any foreign nation or Government and the President makes public proclamation of the event, all native citizens, denizens, or subjects of the hostile nation or government, being males of the age of 40 years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies.

The President's proclamation is built upon that statute and classifies all persons who have not completed their naturalization, and who are 14 years of age and upwards, as subjects of Germany and as alien enemies. Now, there is conflict between that proclamation and the bill that is before you which undertakes to bring certain of those men into the service of the United States by draft.

Secretary BAKER. So that a provision ought to be added excluding alien enemies.

Mr. HARRISON. Does that apply to Austria and the other countries we are expected to be in conflict with?

Secretary BAKER. It would not apply until our expectations were unhappily fulfilled.

Mr. HARRISON. What I had in mind, Mr. Secretary, was whether or not the amendment ought to be broad enough so that it will automatically apply to them?

Secretary BAKER. Yes.

The CHAIRMAN. Gen. Crowder, I will ask you to put in the record a copy of that proclamation.

Gen. CROWDER. The proclamation reads as follows:

[Existence of war—German Empire.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States in the exercise of the constitutional authority vested in them have resolved, by joint resolution of the Senate and House of Representatives bearing date this day "That the state of war between the United States and the Imperial German Government which has been thrust upon the United States is hereby formally declared";

Whereas it is provided by section four thousand and sixty-seven of the Revised Statutes, as follows:

"Whenever there is declared a war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety;"

Whereas, by Sections four thousand and sixty-eight, four thousand and sixty-nine, and four thousand and seventy, of the Revised Statutes, further provision is made relative to alien enemies;

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby proclaim to all whom it may concern that a state of war exists between the United States and the Imperial German Government; and I do specially direct all officers, civil or military, of the United States that they exercise vigilance and zeal in the discharge of the duties incident to such a state of war; and I do, moreover, earnestly appeal to all American citizens that they, in loyal devotion to their country, dedicated from its foundation to the principles of liberty and justice, uphold the laws of the land, and give undivided and willing support to those measures which may be adopted by the constitutional authorities in prosecuting the war to a successful issue and in obtaining a secure and just peace;

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the Revised Statutes, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States towards all natives, citizens, denizens, or subjects of Germany, being males of the age of fourteen years and upwards, who shall be within the United States and not actually naturalized, who for the purpose of this proclamation and under such sections of the Revised Statutes are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof, and to refrain from actual hostility or giving information, aid or comfort to the enemies of the United States, and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President; and so long as they shall conduct themselves in accordance with law, they shall be undisturbed in the peaceful pursuit of their lives and occupations and be accorded the consideration due to all peaceful and law-abiding persons, except so far as restrictions may be necessary for their own protection and for the safety of the United States; and towards such alien enemies as conduct themselves in accordance with law, all citizens of the United States are enjoined to preserve the peace and to treat with all such friendliness as may be compatible with loyalty and allegiance to the United States

And all alien enemies who fail to conduct themselves as so enjoined, in addition to all other penalties prescribed by law, shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by sections four thousand and sixty-nine and four thousand and seventy of the Revised Statutes, and as prescribed in the regulations duly promulgated by the President:

And pursuant to the authority vested in me, I hereby declare and establish the following regulations, which I find necessary in the premises and for the public safety:

(1) An alien enemy shall not have in his possession, at any time or place, any fire-arm, weapon or implement of war, or component part thereof, ammunition, maxim or other silencer, bomb or explosive or material used in the manufacture of explosives;

(2) An alien enemy shall not have in his possession at any time or place, or use or operate any aircraft or wireless apparatus, or any form of signalling device, or any form of cipher code, or any paper, document or book written or printed in cipher or in which there may be invisible writing.

(3) All property found in the possession of an alien enemy in violation of the foregoing regulations shall be subject to seizure by the United States;

(4) An alien enemy shall not approach or be found within one-half of a mile of any Federal or State fort, camp, arsenal, aircraft station, Government or naval vessel, navy yard, factory, or workshop for the manufacture of munitions of war or of any products for the use of the army or navy:

(5) An alien enemy shall not write, print, or publish any attack or threats against the Government or Congress of the United States, or either branch thereof, or against the measures or policy of the United States, or against the person or property of any person in the military, naval, or civil service of the United States, or of the States or Territories, or of the District of Columbia, or of the municipal governments therein;

(6) An alien enemy shall not commit or abet any hostile act against the United States, or give information, aid, or comfort to its enemies;

(7) An alien enemy shall not reside in or continue to reside in, to remain in, or enter any locality which the President may from time to time designate

by Executive Order as a prohibited area in which residence by an alien enemy shall be found by him to constitute a danger to the public peace and safety of the United States, except by permit from the President and except under such limitations or restrictions as the President may prescribe;

(8) An alien enemy whom the President shall have reasonable cause to believe to be aiding or about to aid the enemy, or to be at large to the danger of the public peace or safety of the United States, or to have violated or to be about to violate any of these regulations, shall remove to any location designated by the President by Executive Order, and shall not remove therefrom without a permit, or shall depart from the United States if so required by the President;

(9) No alien enemy shall depart from the United States until he shall have received such permit as the President shall prescribe, or except under order of a court, judge, or justice, under Sections 4069 and 4070 of the Revised Statutes;

(10) No alien enemy shall land in or enter the United States, except under such restrictions and at such places as the President may prescribe;

(11) If necessary to prevent violations of these regulations, all alien enemies will be obliged to register;

(12) An alien enemy whom there may be reasonable cause to believe to be aiding or about to aid the enemy, or who may be at large to the danger of the public peace or safety, or who violates or attempts to violate, or of whom there is reasonable ground to believe that he is about to violate, any regulation duly promulgated by the President, or any criminal law of the United States, or of the States or Territories thereof, will be subject to summary arrest by the United States marshal, or his deputy, or such other officer as the President shall designate, and to confinement in such penitentiary, prison, jail, military camp, or other place of detention as may be directed by the President.

This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this sixth day of April, in the year of our Lord one thousand nine hundred and seventeen, and of the independence of the United States the one hundred and forty-first.

[SEAL.]

By the President:

WOODROW WILSON.

ROBERT LANSING,

Secretary of State.

MR. GORDON. Gen. Crowder, do you recall whether or not in the Civil War they enlisted aliens—not alien enemies, but aliens? Did they actually enlist aliens and enact a statute that their enlistment should operate in lieu of naturalization and make them citizens?

Gen. CROWDER. I do not think there was any such legislation for the Civil War period.

MR. GORDON. There was some legislation upon the subject.

Gen. CROWDER. We have legislation on our statute books to-day applicable in time of peace only, which permit the enlistment of any person who has declared his intention to become a citizen; but that is not applicable in time of war.

MR. NICHOLLS. In the Civil War we were not fighting in foreign countries.

(The committee thereupon took a recess until 3 o'clock p. m.)

AFTER RECESS.

The committee reassembled, pursuant to the taking of the recess, at 3 o'clock p. m.

**STATEMENT OF MAJ. PALMER PIERCE, WAR COLLEGE DIVISION,
GENERAL STAFF CORPS.**

The CHAIRMAN. Maj. Pierce, you are connected with the General Staff?

Maj. PIERCE. I am on General Staff duty at the Army War College.

The CHAIRMAN. I do not know of any better way for you to give the committee the details of the estimates in regard to this new legislation than to state them in your own way and make the explanation in your own way.

Maj. PIERCE. I have a copy of the estimate as submitted, except for the signature, and, if the committee desires, I will read that.

The CHAIRMAN. You may do that.

Maj. PIERCE (reading):

National defense (War Department): For military expenditures under the War Department necessary for the national defense and for each and every purpose connected therewith, to be expended by the Secretary of War under such regulations as the President may prescribe, to be immediately available, and to remain available until expended, submitted, \$2,932,537,933.

I have prepared, in order to save your time and patience, a statement in regard to the special estimates.

The CHAIRMAN. We will be glad to have that.

Maj. PIERCE. The special estimate is for one year, for the equipment and maintenance of approximately 1,000,000 men, organized into 32 Infantry and 4 Cavalry divisions, with Army corps troops for such number of Army corps as can be organized from this force.

These troops are divided as follows: Regular Army, 242,954; National Guard, 329,954; Volunteers, 500,000; total enlisted men, 1,072,908, and 45,462 officers. These are the troops on which the Quartermaster General estimated, but it is not certain we will have exactly that number, because how many we will need on the lines of communication, etc., is unknown at this time.

Mr. KAHN. Then, according to your figures, your estimates are for a fewer number of men than the Secretary of War told us this morning you intended to get. He said 623,000.

Mr. GORDON. That was the maximum that could be raised under the present law.

Mr. CALDWELL. I understood him to say on his final estimate that the men he would have when he got all he wanted would number 1,123,000. Your estimate is on 1,072,908, which is about 50,000 less?

Maj. PIERCE. Yes, sir. The instruction which the Secretary of War gave the bureaus was that they should estimate for a force of a million men. Some flexibility in the number was found necessary on account of the fact that the Regular Army at war strength, after the addition of the second increment, would be about 209,134 men. Thirty-three thousand eight hundred and twenty men of the Quartermaster Corps were added for bases and lines of communication.

The amounts as given provide for the equipment and for maintenance for one year. They are as follows:

Quartermaster Corps: Pay, etc., of the Army, \$582,752,290. That includes \$51,507,584 to cover a 20 per cent increase in pay during war, under the same provisions as were in effect during the Spanish War.

The Quartermaster General assumed the same provisions would be enacted for the present war. The methods of calculation were based on numbers and grades given in our "Tables of Organization."

The CHAIRMAN. Major, I would like for you to state whether or not it is a fact that the figures you are giving us now are based entirely on the increase only of the Regular Army and the National Guard and the additional force that is contemplated in the pending bill. In other words, we have passed through the House at this session of Congress the annual appropriation bill for the Army and the National Guard as they now stand. These figures, as I understand it, eliminate that because that is expected to be taken care of in the regular annual appropriation bill for the Army. Is that correct?

Maj. PIERCE. In part. I found, in looking into the estimates for the Ordnance Department, we had included in these special estimates all the items that were in the estimates for 1918, submitted to the last Congress, except the following: Six million four hundred and thirty-five thousand seven hundred dollars, under the sundry civil bill, and a supplemental estimate of \$1,677,550, under that same bill, or a total of \$8,113,200, and \$5,000,000 for the Signal Department. Except for those items these larger estimates include the smaller, but only for a year from the enactment. These estimates were based on the requirements of supplies for a force of approximately a million men, to be maintained for one year. If the appropriation for 1918 is not made, a part of that fiscal year will not be provided for.

Mr. CALDWELL. Without regard to whether you had anything on hand to do part of that with or not.

Maj. PIERCE. No. The supplies on hand were considered, as shown by the attached table, re ordnance material and Signal Corps.

The CHAIRMAN. Take, for instance, the appropriation for the pay of the Army in the Regular Army appropriation bill which has passed the House and is now pending in the Senate. We provided for the pay of an Army of about 135,000 men. That sum is not included in your estimates for 1,000,000 men?

Maj. PIERCE. It is included, but only for one year from the date of passage of the act. The appropriation for pay, 1917, is nearly exhausted, due to the retention of the guard in the Federal service.

Mr. CALDWELL. I understood him to say he has made an estimate for 1,000,000 without regard to the 135,000 men.

Maj. PIERCE. Except for the instances I called attention to. These estimates are for one year from the date of the passage of the bill. Since the actual sum needed for carrying this war to a conclusion will probably be in excess of the total amount included in the 1918 regular estimates and this special estimate, it is urgently requested that the total be appropriated and no reductions made.

The estimates for supplies, services, and transportation is \$813,245,164; for animals for the Army, \$100,083,050. That would be for 529,000 animals. The estimates include some 40,000 motor trucks.

Mr. TILSON. Is it not the idea when you have large work, divisional work, you expect to use motor trucks, but for regimental and brigade work you are bound to use animals, because of the slower movements of the troops?

Maj. PIERCE. Exactly.

The estimates for construction, repair, and rentals is \$65,545,559. That construction is largely for temporary cantonments, estimated at about \$40 a man.

Mr. CALDWELL. Does that include construction of hangars and machine shops, and things of that sort, at such places, for instance, as Mineola, Long Island?

Maj. PIERCE. That is provided for in the bill.

Mr. CALDWELL. In this estimate?

Maj. PIERCE. It comes under the Signal Corps.

Mr. KAHN. You are asking for \$54,000,000 for aviation. No doubt that construction is included in that estimate.

Maj. PIERCE. Yes; it is so included.

The total amount for the Quartermaster Corps is \$1,561,626,063. For the Ordnance Department the estimates are as follows: Current expenses, \$2,500,000; manufacture and purchase of ammunition for small arms and for hand use, etc., \$40,298,000; manufacture and purchase of ammunition, targets, and other accessories for target practice, etc., \$19,000,000; manufacture and purchase of arms, ammunition, target, etc., for rifle clubs, \$1,600,000; manufacture, etc., of arms at national armories, \$25,616,000; manufacture and purchase of ordnance stores to fill requisitions, overhauling, cleaning, etc., of ordnance and ordnance stores, \$60,050,000; national trophy and medals for rifle contests, \$10,000; purchase, manufacturing and test of automatic machine rifles, \$18,200,000; armored motor cars, purchase and manufacture of, \$4,500,000; purchase, manufacture, and test of automatic machine rifles for National Guard, \$31,200,000; antiaircraft guns, procurement and test of, \$1,000,000.

Mr. CALDWELL. Is that to be divided between the Vickers and the Lewis guns?

Maj. PIERCE. Yes; a light type and a heavy type.

Mr. CALDWELL. About what proportion?

Maj. PIERCE. It has not been decided.

Mr. CALDWELL. You have an estimate for the purchase, manufacture, and test of automatic machine rifles for the National Guard—\$31,200,000. If you buy the Lewis type of guns, you will get about ten times as many as of the other kind?

Maj. PIERCE. We can get the light type more rapidly, and the lighter type is the cheaper.

The estimate for the procurement and test of antiaircraft guns is \$1,000,000; for ammunition for antiaircraft guns, \$1,840,000.

Mr. CALDWELL. How many does that call for?

Maj. PIERCE. The number is increasing all the time.

Mr. CALDWELL. How much will that buy?

Maj. PIERCE. Each one costs, with its pedestal, about \$25,000.

Mr. CALDWELL. Does that include the accompanying searchlight?

Maj. PIERCE. No.

Mr. CALDWELL. How are you going to use an antiaircraft gun at night without a searchlight?

Maj. PIERCE. These are provided by other departments.

The estimate for the procurement of field artillery for the National Guard is \$99,800,000; for ammunition for field artillery, \$92,000,000; arms and ordnance for Reserve Officers' Training Corps, \$1,524,000; military equipment for schools and colleges, \$718,000; civilian training camp, arms and ordnance equipment for, \$4,000,000.

The estimates for armament of fortifications is as follows:

Manufacture and purchase of mountain, field, and siege cannon, etc., \$55,200,000; manufacture and purchase of ammunition for the above, \$75,000,000; manufacture, purchase, etc., seacoast cannon, etc., \$15,950,000; manufacture, purchase, etc., and ammunition for seacoast cannon, \$14,000,000; manufacture, purchase, etc., ammunition, subcaliber guns, etc., for seacoast artillery practice, \$700,000; alteration and maintenance of mobile artillery, including purchase and the manufacture of machinery, etc., \$6,112,500; purchase, manufacture, etc., of ammunition, subcaliber guns, etc., for mountain, field, and siege artillery practice, \$9,000,000; alteration and maintenance of seacoast artillery, etc., \$700,000; for current expense of Sandy Hook Proving Grounds, \$200,000; necessary expenses of officers on duty at proving grounds not occupying public quarters and for compensation of draftsmen, \$50,000; submarine mines, purchase and maintenance, \$3,326,330.

Panama Canal: Purchase, manufacture, etc., seacoast cannon, \$3,588,000; purchase, manufacture, etc., ammunition for seacoast cannon, \$3,400,000; alteration, maintenance, etc., of seacoast artillery, \$750,000; submarine mines, their purchase, manufacture, etc., \$250,000; alteration, maintenance, and repair of submarine mine material, \$50,000; ordnance depot, construction, etc., \$246,600.

Insular possessions: Purchase, manufacture, etc., of seacoast cannon, \$1,060,000; purchase, manufacture, etc., ammunition for above, \$8,000,000; alteration, maintenance, etc., of seacoast artillery, etc., \$500,000; submarine mines, \$73,000.

The total amount for the Ordnance Department is \$602,007,430.

Signal Corps: Signal Service of the Army, \$4,817,766; aviation, \$54,250,000; making a total for the Signal Corps of \$59,067,766.

Medical Department, \$24,780,000.

Engineer Corps: Construction of guns and mortar batteries, \$2,500,000; electrical installation at seacoast fortifications, \$1,700,000; searchlights for harbor defenses, \$5,900,000; casemates, batteries, etc., for submarine mines, \$500,000; construction of land defenses in the United States, \$2,000,000.

Mr. CALDWELL. Does that include land fortifications?

Maj. PIERCE. It includes projects already approved, mainly land defenses for permanent fortifications.

Contingent expenses in connection with construction of seacoast fortifications, \$1,000,000.

Panama Canal Zone: Construction of seacoast batteries, \$20,000; purchase and installation of electric light and power plants for seacoast fortifications, \$55,000; searchlights for seacoast fortifications, \$78,774; land defenses, \$29,500.

Engineer operations in the field, \$94,800,000; Engineer equipment of troops, \$37,050,000. That makes a total for the Engineer Corps of \$145,633,274.

The special estimate for contingencies of the Army is \$1,150,000. The following amounts were appropriated for 1917: Contingencies of the Army, \$50,000; contingencies of military observers abroad, \$15,000; contingencies of the military information section, General Staff, \$11,000. These items have been embraced in the estimate of \$1,150,000 above mentioned.

In explanation of the increase, it is noted that with the increase of the Army to approximately 1,000,000 men the items embraced under the contingencies of the Army must largely increase. It is thought the expenses will be at least \$100,000 instead of \$50,000, as formerly.

The amount, \$15,000, hitherto allotted for the expenses of our observers abroad has proven altogether insufficient. Fifty thousand dollars is estimated as necessary for this purpose.

An increase from \$11,000 to \$1,000,000 is made for the military information section, General Staff. This is to provide ample funds for the gathering of information, to include secret-service work. The importance of this in time of war is very great, and the amount of money requested is not considered excessive. The total thought necessary is \$1,150,000.

The estimate for the Army War College is \$9,000. The Army War College needs no increase, as its expenses will be approximately the same in war as in peace. The estimates for the United States service schools is \$60,675, as against \$35,350 appropriated for 1917. The expenses of the United States service schools will be augmented, due to the large number of new officers to be instructed. Four hundred and twenty-five provisional lieutenants have just finished a course of instruction at Fort Leavenworth. The school of musketry is instructing large numbers of noncommissioned officers in machine guns. The other schools will be used to capacity, and the increase from \$35,350 to \$60,675 is believed justified.

The estimate for contingencies in The Adjutant General's Office is \$15,000.

Under the Chief of Coast Artillery, the estimate for fire control at fortifications is \$3,147,225; for the Coast Artillery School at Fort Monroe, Va., \$32,000; making a total for the Chief of Coast Artillery of \$3,179,225.

The grand total of the estimates submitted by the various departments is \$2,397,528,433.

Mr. SHALLENBERGER. In the estimate for the United States service schools you have increased the amount from \$35,350, appropriated for 1917, to \$60,675?

Maj. PIERCE. Yes, sir.

Mr. SHALLENBERGER. The amount appropriated for those schools last year was \$35,350?

Maj. PIERCE. Yes, sir. This amount is based on the estimates from the schools themselves.

Mr. SHALLENBERGER. It struck me that was a very modest increase.

Maj. PIERCE. If this appropriation asked for is made as a lump-sum appropriation, then whatever is necessary can be allotted as it is needed.

The Quartermaster General made an estimate that the cost of personal equipment was \$194 and some cents for each man, and that is one reason why the odd figures come in this estimate. That means that the cost for the equipment to put a man in the field and give him everything necessary, viz, shoes, socks, clothing, uniform, shelter halves, etc., is \$194. Estimates for these were made on the basis of prices of a few months ago. Since then prices have increased.

Mr. SHALLENBERGER. I understood you to say the cost of the equipment for each man totaled about \$194?

Maj. PIERCE. For each man. Not the initial cost alone, but the cost, plus maintenance for one year.

Mr. SHALLENBERGER. What equipment he has to have, but not what he eats?

Maj. PIERCE. Yes. It amounts to \$194 without food.

Mr. ANTHONY. That does not include what he eats?

Maj. PIERCE. No, sir.

Mr. FIELDS. That includes the initial cost plus the maintenance for one year?

Maj. PIERCE. Yes.

Mr. SHALLENBERGER. It has nothing to do with his pay?

Maj. PIERCE. No. The estimate for food was 30 cents a day, but prices have already gone up. The pay was estimated at the same rates and for the grades now authorized by law, with 20 per cent added for war. Of course the 20 per cent increase can not be given except by authority of Congress.

The estimates of the Ordnance Department were based on cost as given in the last tables, plus 25 per cent, but there have been great increases. For instance, small arms, rifles, in the last ordnance price tables were listed at \$19.50, and a year ago only \$12.50.

Mr. KAHN. That is due to the increase in the raw material cost?

Maj. PIERCE. Yes, sir. In these estimates they have taken, in certain ones—I do not think it is true in the case of all—the list prices and added 25 per cent.

Mr. TILSON. Do you figure you will get the Enfield rifle at about the same price as the Springfield?

Maj. PIERCE. I am not sure. The arrangement was explained to me the other day, but the price was not indicated. I do not understand that it has definitely been decided that we will adopt a modified Enfield.

Mr. TILSON. The arrangement has been explained, but I have not seen any figures as to whether we will get the Enfield rifle as cheaply as we did get our Springfield rifle.

Maj. PIERCE. These estimates provide as follows:

(a) The clothing and other quartermaster supplies necessary to fully equip 1,072,908 men and maintain these for one year. Personal equipment is calculated on the basis of a year and a half allowance in addition to the initial allowance. It also includes temporary or cantonment shelter for men, animals, and stores.

(b) The guns, ammunition, and other ordnance supplies necessary to fully equip 1,072,908 men and maintain these for one year. Maintenance is based on peace conditions and is included under the various items to the total amount of \$73,604,500. If war conditions are to prevail, it is calculated that maintenance for one year will increase to \$608,614,000. Assuming a state of war, the total estimates of the Ordnance Department submitted should be increased by \$535,009,500.

Mr. SHALLENBERGER. What do you mean by "maintenance"?

Maj. PIERCE. The replacement of worn-out guns and of ammunition—ammunition that is used in target practice—

Mr. SHALLENBERGER. Wearing out generally?

Maj. PIERCE. Yes.

Mr. SHALLENBERGER. That figure will be \$73,000,000?

Maj. PIERCE. Yes, sir.

Mr. SHALLENBERGER. For all ordnance in this bill?

Maj. PIERCE. Yes, sir.

Mr. SHALLENBERGER. Small arms—

Maj. PIERCE. Yes, sir; everything; that is, in time of peace. The attached memorandum of the Chief of Ordnance will explain this more in detail.

Mr. SHALLENBERGER. How much for war?

Maj. PIERCE. \$608,614,000. Field guns wear out after 10,000 or 12,000 rounds are fired. The expenditure of ammunition is enormous. Since one sum of money is to be asked for, the amount should be \$2,932,537,933.

Mr. SHALLENBERGER. Are you estimating in this \$2,932,000,000 peace conditions or war conditions?

Maj. PIERCE. War conditions.

I want to bring your attention to one other thing in connection with these estimates. The Quartermaster General put in an estimate for the support of dependent relations. It was on the assumption that a flat rate of \$15 per month would be given soldiers who had dependent relations. An estimate based on our experience in the recent trouble along the border amounts to \$144,842,580 a year. That is included in these estimates.

The CHAIRMAN. What general item is that included in?

Maj. PIERCE. Pay of the Army.

Mr. KAHN. Based on what he found to be the condition when the National Guard was sent to the Mexican border?

Maj. PIERCE. Yes.

Mr. KAHN. We spent about \$10,000,000, I think, or \$12,000,000.

Mr. SHALLENBERGER. Here is a matter regarding pay, which I would like to be put in the record. You gave the pay of the Army as \$582,752,790. That is based on the present pay of the Army. Suppose the plan is adopted which is advocated in the Senate, and already, I am told, existing in Canada, and is advanced as a proposition that should be adopted here, whereby the pay is \$33 per month to the man and \$23 to his wife. Would not the pay of the Army be about double what you have estimated?

Maj. PIERCE. Yes, sir; I think it would be more than doubled for enlisted men. A calculation, however, would be necessary to establish this. In addition to the present pay rates the Quartermaster General estimated on a 20 per cent increase on war pay.

Mr. SHALLENBERGER. I am told that if we do not exempt the married men it would practically double the pay of the Army, eliminating the wife entirely.

The details of the estimates covered in the statement of Maj. Pierce are as follows:

SUPPLIES DIVISION, March 19, 1917.

In compliance with memorandum from the Quartermaster General, dated March 13, 1917, there is transmitted herewith estimates for "Subsistence," "Regular supplies," and "Clothing and equipage," for 43,000 officers and 1,018,270 enlisted men for a period of one year, in so far as such appropriations pertain to the Supplies Division.

A. L. SMITH,
Brigadier General, Quartermaster Corps.

SUPPLIES, SERVICES, AND TRANSPORTATION.

Purchase of subsistence supplies for issue as rations to—

Troops, including enlisted men of the Regular Army
Reserve and retired enlisted men when ordered to active
duty -----

\$165,455,631.50

Civil employees when entitled thereto -----

943,269.50

Hospital matrons -----

32,850.00

Nurses, applicants for enlistment, while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made). Indians employed with the Army as guides and scouts, and general prisoners at posts.

For the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service -----

5,799,056.50

Hot coffee for troops traveling when supplied with cooked or travel rations -----

95,812.50

Meals for recruiting parties and applicants for enlistment while held under observation -----

6,011,550.00

For the authorized issue of soap, candles, matches, toilet paper, towels, and toilet articles, and barbers' and tailors' materials for use of general prisoners confined at military posts without pay or allowances, and applicants for enlistment while held under observation -----

2,349,340.58

Issue of toilet kits to recruits upon their first enlistment -----

2,545,675.00

Issue of housewives to the Army -----

95,799.55

Issue of salt and vinegar for the authorized public animals, including authorized number of officers' horses -----

113,681.35

For sales to officers and enlisted men of the Army, issue of flour or paste for targets -----

28,480.00

For payment of commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of 40 cents per ration -----

146,730.00

Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, and male and female nurses when stationed at places where rations in kind can not be economically issued, and when traveling on detached duty where it is impracticable to carry rations of any kind; enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest; male and female nurses on leave of absence; applicants for enlistment, and general prisoners when traveling under orders -----

6,230,550.00

Of commutation of rations in lieu of the regular established ration for members of the Nurse Corps (female) while on duty in hospitals, at 40 cents per ration, and for enlisted men, applicants for enlistment while held under observation, and general prisoners sick therein, at the rate of 40 cents per ration (except that at the general hospital at Fort Bayard, N. Mex., 50 cents per ration and at other general hospitals 40 cents per ration are authorized for enlisted patients therein), to be paid to the surgeon in charge -----

4,502,270.00

For supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the National Guard who may be competitors in the national rifle match; *Provided*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expenses than that sum per man per day for the period the contest is in progress shall be incurred -----

12,000.00

For providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum -----

900.00

For other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army-----	\$2, 169, 420. 00
Regular supplies of the Quartermaster Corps, including their care and protection, for the purchase and repair and maintenance of heating stoves required for heating offices, hospitals, barracks and quarters, guardhouses, storehouses, and recruiting stations, and United States Disciplinary Barracks-----	1, 613, 879. 15
For ranges and range equipment, cooking stoves, field ranges, coffee roasters, and appliances for cooking and serving food at posts, in the field, and when traveling, including repair and maintenance of same-----	2, 127, 621. 25
For furnishing heat and light for the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, troops in the field, and the building erected at private cost, in the operation of the act approved May 31, 1902, and for sale to officers-----	33, 996, 700. 00
For purchase of appliances for handling fuel-----	203, 170. 00
For purchase and issue of fuel and engine supplies required in the operation of modern batteries at established posts; fuel for pumping plants, lighting plants, and other power plants operated by the Army-----	5, 937, 930. 00
For fuel for operation of transports, harbor boats, mine planters, cable boats, and Coast Artillery boats-----	7, 650, 000. 00
For purchase and repair of bake ovens and apparatus pertaining thereto, including the purchase, repair, and maintenance of field bakeries-----	540, 252. 00
For purchase of ice for issue to organizations of enlisted men and officers at such places as the Secretary of War may determine and for the preservation of stores-----	2, 320, 913. 00
For the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation-----	114, 250. 00
For the purchase and issue of the authorized furniture and filing equipment for offices, at posts and in the field, including furniture, textbooks, and equipment for post schools and libraries and instruments and other authorized articles for the use of officers' schools and schools for enlisted men at the several military posts; including furniture authorized for officers' quarters and public rooms of officers' messes at military posts-----	636, 876. 10
For subscriptions for newspapers and periodicals for the use of enlisted men at posts and in the field, and for commercial newspapers and market reports for the Quartermaster Corps-----	90, 000. 00
For the purchase, issue, repair, and maintenance of tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits-----	592, 520. 00
For the purchase and issue of stationery and blank books for use of troops and officers of the Army, including stationery for officers' schools at the several military posts and for post schools for enlisted men, including schools for noncommissioned officers-----	607, 575. 00
For the purchase and issue of typewriters, adding machines, and exchange of same, and for the purchase of addressing machines, mimeograph, and similar equipment-----	600, 740. 00
For laundering of towels-----	10, 000. 00
For the purchase and repair of * * * wall lockers * * * for use in offices; * * * and for chests and issue outfits for troops-----	59, 119. 45

For the purchase of cloth, woolens, and materials required for the manufacture of clothing, and for the purchase and manufacture of clothing for issue and for sale at cost price, according to the Army Regulations-----	\$150, 819, 238. 34
For purchase and repair of band instruments. Including authorized allowance of sheet music for authorized Army bands -----	1, 282, 000. 00
For the purchase of materials for the manufacture of equipage, and for the purchase and manufacture of equipage and repair of same, for issue to the Army-----	71, 895, 835. 75
For the purchase, repair, and maintenance of equipment required for the manufacture of clothing and equipage, including the supplies necessary to the operation of same-----	50, 000. 00
For altering and fitting clothing, and washing and cleaning same, and washing and cleaning equipage, when necessary--	350, 000. 00
For a suit of citizen's outer clothing to cost not exceeding \$10. to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge-----	350, 000. 00
For indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of the medical officers of the Army for sanitary reasons-----	
Printing and supply of blank forms, etc-----	300, 000. 00
Purchase and issue of relief map-----	20, 000. 00

MARCH 20, 1917.

To the ESTIMATES BRANCH:

1. Herewith is submitted detailed statement of cost of original equipment, including equipment "C," for organization enumerated in memorandum from the Quartermaster General of the 13th instant, so far as the Transportation Division is concerned. The item checked thus (✓), under "Supplies, services, and transportation," includes only farriers', blacksmiths', wheelwrights', and saddlers' tools. The item checked thus (X) provides for employees required for operation of boats and 200 additional clerks for duty in connection with checking the railroad accounts.

CHAUNCEY B. BAKER,

Lieutenant Colonel, Quartermaster Corps.

SUPPLIES, SERVICES, AND TRANSPORTATION.

For the purchase and issue of forage for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers, including bedding for the animals; and for straw for soldiers' bedding--	\$63, 697, 933. 02
For the purchase and issue of horse and mule shoes, horseshoe nails, including blacksmiths' materials and equipment, and for the shoeing of horses and mules-----	1, 116, 986. 40
For the purchase of the necessary blacksmiths', wheelwrights', plumbers', carpenters', tinners', saddlers', horseshoers', machinists', and other tools for the repair and maintenance of equipment furnished for use of the Army-----	105, 000. 00
For the purchase and repair of harness and pack equipment for use of the Army, including purchase and issue of repair parts for same and materials for making repairs-----	3, 519, 896. 00
For the purchase of wagons, carts, drays, and such animal-drawn passenger-carrying vehicles, including parts and materials for the repair and maintenance of same, as may be required for the transportation of troops and supplies and for official military and garrison purposes-----	4, 461, 364. 40

For the purchase of motor-propelled trucks and motor-propelled passenger-carrying vehicles as are required for the transportation of troops and supplies, and for official, military, and garrison purposes, including the purchase and issue of supplies, parts, and equipment required for the maintenance, operation, and repair of same-----	\$136, 432, 600. 00
For purchase, repair, and maintenance of other vehicles-----	
For the purchase and issue of equipment and supplies necessary for the care of public animals-----	21, 364. 82
For the packing and crating of the authorized change of station allowance of baggage and household effects of officers, non-commissioned officers, and civilian employees of the classified service with the Army, including Army field clerks, and field clerks, Quartermaster Corps, and for the packing and crating of company, troop, battery, regimental, and other property and impediments accompanying the troops on change of station-----	435, 120. 70
For the transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including reimbursement of travel expense of cadets when first reporting at United States Military Academy-----	25, 001, 115. 00
For transportation of recruits and recruiting parties, of applicants for enlistment between recruiting stations and recruiting depots-----	2, 103, 000. 00
For transportation of authorized change of station allowance of baggage from last duty station to their homes of enlisted men having 10 or more years' service in the Army who are discharged on account of disability incurred in the line of duty-----	
For transportation of persons on their discharge from the United States disciplinary barracks, or from any place in which they have been held under sentence of dishonorable discharge and confinement for more than six months, or from the Government Hospital for the Insane after transfer thereto from such barracks or place, to their home (or elsewhere, as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment-----	
For the transportation of the necessary agents and other employees, and authorized allowance of baggage, including per diem allowance in lieu of subsistence not exceeding \$4 for those authorized, to receive the per diem allowance, and for reimbursement of actual travel expense, for civilian employees not to exceed the maximum amount fixed by law-----	
For transportation of clothing and equipage, subsistence supplies, other quartermaster supplies, engineer stores, medical stores, signal stores, and other property of the Army from Army posts and depots or places of purchase or delivery to the several posts and Army depots, and from those posts and depots to troops in the field-----	18, 103, 722. 00
For transportation of horse equipment, of ordnance and ordnance stores, and small arms from the foundries and armories and places of purchases to the arsenals, fortifications, military posts, and Army depots-----	1, 183, 840. 00
For transportation of animals for the Army from places of purchase to remount depots, and from remount depots to the troops at military posts and station and in the field, and from places of purchase to military posts and to the troops in the field, and with troops changing station-----	4, 235, 040. 00
For transportation of funds of the Army-----	53, 063. 50
For the purchase and repair of boats necessary for the harbor boat service of the Army, for the transportation of troops and supplies and for official, military, and garrison purposes, including the purchase of supplies and equipment necessary for the maintenance and operation of same-----	5, 679, 500. 00

For the purchase and repair of boats for the Coast Artillery service and for official, military, and garrison purposes, including the purchase, construction, and repair of mine planters, and cable boats and ships, and for the supplies and equipment necessary for the maintenance and operation of said vessels -----	\$7, 375, 000. 00
For the expenses of sailing public transports and other vessels in the movement of troops and supplies on the various rivers, the Gulf of Mexico, the Atlantic and Pacific Oceans, and other waters, including maintenance and operation, and purchase of supplies and equipment for same -----	8, 100, 000. 00
For payment of wharfage, tolls, and ferriages, including the purchase of street car tickets and commutation railroad tickets for transportation of recruits and recruiting parties, and for the transaction of official business at posts, department headquarters, supply depots of the Army, recruiting stations, and other military stations -----	50, 000. 00
For drayage and cartage at the several depots and at posts and stations where Government transportation is not sufficient for the purpose -----	392, 669. 00
For the hire of laborers in the Quartermaster Corps, including care of officers' mounts when the same are furnished by the Government; hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees to the officers of the Quartermaster Corps; hire of teamsters, packers, blacksmiths, horseshoers, wheelwrights, carpenters, plumbers, engineers, firemen, saddlers, foremen, superintendents of construction, civil engineers, draftsmen, rodmen, machinists, truckmasters, chauffeurs, and such other employees as may be necessary and authorized by the Secretary of War for the maintenance and operation of means of transportation and repairs to same, including care of animals and manufacture of clothing and equipage; and for the repair and upkeep of public property and buildings; for the hire of masters, officers, crews, and other employees required in the operation of the Army transport service, harbor boat service, Coast Artillery boat service, mine planters, and cable ships -----	1, 324, 430. 00
For advertising for the purpose of this appropriation and the appropriations, "Animals for the Army" and "Construction, repairs, and rentals" -----	1, 000. 00
For the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid: <i>Provided</i> , That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large and shall be accepted as in full for all demands for such service: <i>Provided further</i> , That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States, and which obtained a grant of public land to aid in the construction of its railroad on condition that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provision only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision,	

such rate not to exceed 50 per cent of the compensation for such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service: *And provided further*, That nothing in the preceding provisos shall be construed to prevent the accounting officers of the Government from making full payment to land-grant railroads for transportation of property or persons where the courts of the United States have held that such property or persons do not come within the scope of the deductions provided for in the land-grant acts--scope of the deductions provided for in the land-grant acts.

Total.....	\$283, 489, 644. 84
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ALLOWANCE OF FORAGE AND BEDDING FOR ONE YEAR FOR ANIMALS WITH AN ARMY
OF APPROXIMATELY 1,000,000 MEN.

Hay:		
529,380 animals x 14 pounds x 365 days.....	pounds..	2, 705, 131, 800

Oats:		
398,130 horses x 12 pounds x 365 days.....	pounds..	1, 743, 809, 400
131,250 mules x 9 pounds x 365 days.....	do.....	431, 156, 250

Total.....	do.....	2, 174, 965, 650
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Bedding:		
529,380 animals x 1,200 pounds.....	do.....	635, 256, 000

Hay:		
2,705,131,800 pounds x \$0.75 per hundredweight.....		\$20, 288, 488. 50

Oats:		
2,174,765,650 pounds x \$1.85 per hundredweight.....		40, 233, 164. 52

Bedding:		
635,256,000 pounds x \$0.50 per hundredweight.....		3, 176, 280. 00

Total.....		63, 697, 933. 02
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HORSE AND MULE SHOES, NAILS, AND FARRIERS' TOOLS.

Horse and mule shoes for 529,380 animals (398,130 horses and 131,250 mules), at 48 pounds of shoes per animal per year, at \$3.75 per hundredweight.....	\$952, 884. 00
Adding 10 per cent for weight of shoes, for nails.....	254, 102. 40
Toe calks, tools, etc.....	10, 000. 00

Total.....	1, 216, 986. 40
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PURCHASE AND REPAIR OF HARNESS AND PACK EQUIPMENT, INCLUDING PURCHASE
AND ISSUE OF REPAIR PARTS AND MATERIAL FOR REPAIRS.

101,420 single set harness, at \$25.80 per single set.....	\$2, 616, 636. 00
7,000 aparejos, at \$65 each.....	455, 000. 00
600 riding bridles, at \$3.50.....	2, 100. 00
600 riding saddles, at \$30.....	18, 000. 00
Other pack equipment.....	131, 160. 00
Repairs and maintenance.....	297, 000. 00

Total.....	3, 519, 896. 00
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FOR PURCHASE OF WAGONS, CARTS, DRAYS, AND ANIMAL-DRAWN PASSENGER-CARRY-
ING VEHICLES, INCLUDING PARTS AND MATERIALS FOR REPAIR AND MAIN-
TENANCE.

1,920 ambulances, at \$275.....	\$528, 000. 00
20,470 wagons, escort, at \$76.52.....	3, 613, 364. 40
Repairs of wagons.....	320, 000. 00

Total.....	4, 461, 364. 40
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FOR PURCHASE OF MOTOR-PROPELLED TRUCKS AND MOTOR-PROPELLED PASSENGER-CARRYING VEHICLES AS ARE REQUIRED FOR THE TRANSPORTATION OF TROOPS AND SUPPLIES, INCLUDING THE PURCHASE AND ISSUE OF SUPPLIES, PARTS, AND EQUIPMENT REQUIRED FOR THE MAINTENANCE, OPERATION, AND REPAIR OF SAME.

Equipment:

4,210 automobiles, touring, at \$1,000-----	\$4, 210, 000. 00
1,310 automobiles, runabouts, at \$850-----	1, 113, 500. 00
29,730 motor trucks, cargo, at \$2,800-----	83, 244, 000. 00
1,090 motor trucks, repair and kitchen, at \$3,200-----	3, 488, 000. 00
2,180 motor trucks, supply trucks, at \$3,200-----	6, 976, 000. 00
60 machine-shop trucks, at \$7,500-----	450, 000. 00
220 wrecking and mess cars, at \$1,500-----	330, 000. 00
3,670 motorcycles, at \$280-----	1, 027, 600. 00
20 machine shops, at \$25,000-----	500, 000. 00
Operation and maintenance of—	
33,000 trucks, at \$925 per truck-----	30, 525, 000. 00
5,740 motor cars, at \$700 per car-----	4, 018, 000. 00
3,670 motorcycles, at \$150 each-----	550, 500. 00
Total-----	136, 432, 600. 00

FOR THE PURCHASE AND ISSUE OF EQUIPMENT AND SUPPLIES NECESSARY FOR THE CARE OF PUBLIC ANIMALS.

28 regiments of Infantry, at \$97-----	\$2, 716. 00
13 regiments of Cavalry, at \$593.33-----	7, 713. 29
9 regiments of Artillery (light), at \$421.35-----	3, 792. 15
1 regiment of Artillery (horse), at \$482.27-----	482. 27
1 regiment of artillery (heavy), at \$508.33-----	508. 33
1 regiment of artillery (mounted), at \$765.35-----	765. 35
3 regiments of Engineers, at \$463.58-----	1, 390. 74
1 battalion of Engineers (mounted), at \$154.86-----	154. 86
1 battalion of Engineers (pontoon), at \$325.52-----	325. 52
3 field battalions of Signal troops, at \$64.11-----	192. 33
1 field battalion of Signal troops (mounted), at \$153.50-----	153. 50
1 battalion of Signal troops, at \$64.11-----	64. 11
12 pack trains, at \$140.31-----	1, 683. 72
4 sanitary trains, at \$183.04-----	732. 16
4 Engineer trains, at \$8.85-----	35. 40
7 wagon companies, at \$80.51-----	563. 57
1 ambulance company, at \$71.12-----	71. 12
1 field hospital, at \$20.40-----	20. 40
Total-----	21, 364. 82

For the packing and crating of the authorized change of station allowance of baggage, etc----- 435, 120. 70

The average annual per capita cost of packing and crating is 82 cents, but it is not believed that a Volunteer Army would require more than one-half of this amount. Estimate is therefore based on the number of officers and men, viz: 1,061,270, at 41 cents per capita.

For transportation of the Army and its supplies, including transportation of troops, etc----- 26, 001, 115. 00

Assuming that this army is to be concentrated near the Atlantic coast, and based upon the pro rata number from each State, shown by the Militia Bureau, the approximate cost of transportation would be \$24.50 per capita, and the estimate is based on this cost, viz, 1,061,270 officers and men, at \$24.50 per capita.

For the transportation of clothing and equipage, subsistence supplies, other Quartermaster supplies, Engineer stores, etc----- 19, 303, 722. 00

The estimate for this purpose is based on the average cost of transportation for the total weight of the supplies required for 10 field armies for a period of one year, as shown below:

Clothing and equipage, 81,649 tons, at \$8-----	653, 192. 00
Subsistence, 902,270 tons, at \$5-----	4, 511, 350. 00

For the transportation of clothing, etc.—Continued.

Forage, 2,757,677 tons, at \$4-----	\$11, 030, 708. 00
Motor vehicles, 149,000 tons, at \$10-----	1, 490, 000. 00
Other Quartermaster supplies, 121,654 tons, at \$8-----	973, 232. 00
Medical supplies, 4,150 tons, at \$8-----	33, 200. 00
Signal supplies, 32,555 tons, at \$8-----	260, 440. 00
Engineer supplies, 43,950 tons, at \$8-----	351, 600. 00
For the transportation of horse equipment, ordnance, ordnance stores, small arms, etc-----	1, 183, 840. 00
This estimate is based on the transportation of the amount of ordnance equipment, including small arms, etc., for 10 field armies, at the average cost of transportation, viz, 169,120 tons, at \$7 per ton.	
For the transportation of animals for the Army, etc-----	4, 235, 040. 00
This estimate is based on the cost of transporting the number of animals required for 10 field armies, viz, 529,380, at an average cost of transportation per head of \$8.	
For the transportation of funds-----	53, 063. 50
The estimate for this purpose is based on an average annual cost of 5 cents per capita.	
For the payment of wharfage, tolls, and ferriages, and purchase of street car tickets-----	50, 000. 00
A large number of street car tickets will, no doubt, be required in connection with the transportation of 10 field armies. The average annual expenditure for payment of tolls and purchase of street car tickets is approximately \$25,000, and it is believed that not less than \$50,000 would be required for these 12 field armies.	
For drayage and cartage-----	392, 669. 00
In transporting supplies from the various depots, arsenals, and armories to the railroad stations for 10 field armies, a large amount of drayage would be necessary, and as no provision has been made for taking care of this feature by motor trucks, estimate is submitted based on a per capita cost of approximately one-half the average annual per capita expenditure for this purpose.	

MARCH 21, 1917.

ESTIMATE OF ADDITIONAL WATER TRANSPORTATION.

Charter of 1 freight and 3 passenger transports on the Pacific coast, at approximately \$120,000 per month each, or a total for the year of-----	\$5, 760, 000. 00
Chapter of 1 additional transport on the Panama run, at approximately \$120,000 per month-----	1, 440, 000. 00
	7, 200, 000. 00
Coal and water for operation-----	400, 000. 00
Refitting for transport use, at \$100,000 per ship-----	500, 000. 00
Additional transports-----	8, 100, 000. 00
ADDITIONAL HARBOR BOATS.	
To purchase—	
2 ferryboats, at \$166,000-----	\$332, 000. 00
22 freight and passenger steamers, at \$150,000-----	3, 300, 000. 00
4 steam lighters, at \$100,000-----	400, 000. 00
	4, 032, 000. 00
Running supplies, repairs, fuel, water, and incidental expenses of operation for one year-----	1, 647, 500. 00
Additional harbor boats-----	5, 679, 500. 00
ADDITIONAL COAST ARTILLERY BOATS.	
To purchase—	
6 mine planters, at \$350,000-----	\$2, 100, 000. 00
2 cable steamers, at \$400,000-----	800, 000. 00

To purchase—Continued.

30 tugs, at \$100,000-----	\$3,000,000.00
8 60-foot steam launches, at \$20,000-----	160,000.00
4 60-foot gasoline launches, at \$25,000-----	100,000.00
3 64-foot D. B. boats, at \$20,000-----	60,000.00
19 gasoline launches, at \$10,000-----	190,000.00
2 steam launches, at \$10,000-----	20,000.00
24 32-foot D. B. boats, at \$4,000-----	96,000.00
44 power-mine yawls, at \$1,000-----	44,000.00
75 rowing yawls, at \$500-----	37,500.00
	6,807,500.00
Running supplies, repairs, fuel, water, and incidental expenses of operation for one years-----	767,500.00
Additional Coast Artillery boats-----	7,375,000.00
Employees, harbor boats-----	600,000.00
Employees, Artillery boats-----	484,430.00

Estimated cost of providing temporary construction, etc., for an emergency force of 43,000 officers and 1,034,270 enlisted men, after deducting accommodations now available in the United States for 70,000 officers and enlisted men, for a period of one year:

1. Construction of temporary buildings required for shelter of troops, animals, and supplies, at \$40 per capita-----	\$40,290,800.00
Temporary shelter for Coast Artillery supports-----	181,730.00
2. Maintenance of above construction at 5 per cent-----	2,023,626.50
3. Construction of temporary hospitals, at \$2 per capita-----	2,014,540.00
4. Maintenance of temporary hospital buildings at 5 per cent-----	100,727.00
5. Construction of water and sewer systems, at \$1.75 per capita-----	1,762,722.50
Water-supply systems for Coast Artillery supports-----	730,741.00
6. Maintenance of water and sewer systems, at 10 per cent-----	199,346.35
7. Construction of electric lighting systems, at 60 cents per man-----	604,362.00
8. Maintenance of electric lighting systems at 10 per cent-----	60,436.20
9. Construction of roads, drainage, and clearing, at \$5 per man-----	5,036,350.00
10. Maintenance per year at 10 per cent-----	503,635.00
11.-----	
12. Rental of recruiting stations, at \$1.184 per man, and hire of lodgings, at 92 cents per man-----	2,119,296.08
13. Rental of camp sites, at \$2 per man per year-----	2,014,540.00
14. Rental, construction, and repair of target ranges, at \$2 per man per year-----	2,014,540.00
15. Disposal of garbage at \$3 per man per year-----	3,231,810.00
16. Purchase of toilet paper, garbage cans, urinal cans, etc., at \$2 per man per year-----	2,154,540.00
17. Purchase of water, at \$4.80 per man per year-----	5,170,896.00
18. Purchase of electric current, at \$4.80 per man per year-----	5,170,896.00
19. Purchase of ice boxes for preservation of food in camps, at 25 cents per capita-----	269,317.50
20. Sanitation at Coast Artillery supports-----	198,240.00
Total-----	75,653,092.13

NOTES.

Item 1.—The amount estimated for under this item is based on a per capita of \$40, this per capita having been arrived at by using as a basis the actual cost of temporary buildings recently erected under the approved mobilization plans. Estimate is submitted for temporary buildings owing to the fact that canvas shelter is deemed expensive and it is doubtful whether the supply thereof would be sufficient to house an army of the size contemplated.

The estimate submitted under this item for temporary shelter for Coast Artillery supports is based upon estimates submitted by the department commanders, Eastern and Western Departments, copy of which estimates are hereto attached.

Item 2.—The amount herein estimated for maintenance of these buildings will be required to replace buildings destroyed by storms, fires, etc., and for

making ordinary repairs. It is thought that the amount estimated for these purposes is reasonable and conservative.

Item 3.—The amount estimated for temporary hospitals is based on actual cost of similar accommodations recently constructed along the Mexican border.

Item 4.—The same as Item 2.

Item 5.—This estimate is intended to cover construction of temporary water and sewer systems at various mobilization camps for troops, and is figured on a per capita basis of \$1.75, which recent experience has demonstrated will be required for these sanitary facilities at camps of this character.

The estimate submitted under this item for water-supply systems for Coast Artillery supports is based on estimates submitted by the department commanders, Eastern and Western Departments, copy of which estimates are hereto attached.

Item 6.—Estimate submitted for maintenance of above water and sewer systems at 10 per cent of original cost is considered reasonable.

Items 7 and 8.—In preparing this estimate it has been assumed that mobilization camps will be lighted by electricity. If, however, these camps are to be lighted by mineral oil, this estimate can be reduced to \$1,000,000.

Items 9 and 10.—It is considered absolutely necessary in large mobilization camps especially to provide for a system of roads. There will also be required a certain amount of grading and clearing for the necessary drilling and maneuvering of troops. Experience in the past has demonstrated that this work can not be satisfactorily performed by troop labor, and estimate is submitted for these purposes on a per capita basis of \$5, which is considered reasonable and conservative.

Item 11.—Several requests are now in this office for construction of new wharves, repairs to existing wharves, and dredging channels at Coast Artillery posts. These requests now aggregate over \$100,000 and as similar conditions are known to exist at other Coast Artillery posts with respect to these items, it is estimated that at least \$300,000 would be a conservative estimate to cover these requirements throughout the country.

Item 12.—This estimate is based on the actual cost of the rental of recruiting stations and the hire of lodgings for recruits.

Item 13.—This estimate is intended to cover the rental of the necessary camp sites for mobilization camps, etc., including the necessary space for drilling and maneuver purposes, which will be necessary incident to the training of a volunteer army.

Item 14.—The estimate contemplates the rental, construction, and maintenance of target ranges at mobilization camps, etc.

Items 15, 16, 17, and 18.—Estimates under these items are based on the average cost per capita as stated, which past experience has demonstrated will be required for these purposes.

Item 19.—As some provision will have to be made at various camps for the preservation of food, estimate has been included for the purchase of ice boxes for this purpose at an estimated cost of 25 cents per capita.

Item 20.—Sanitation at Coast Artillery supports. This estimate is based on estimate submitted by the commanding general, Eastern Department, in his letter dated March 19, 1917, copy herewith. This estimate includes sanitation required at Coast Artillery posts in the Eastern Department including those in the Canal Zone. No estimate for this purpose is included for Coast Artillery posts in the Western Department, as no amount was called for this purpose.

HEADQUARTERS EASTERN DEPARTMENT,
Governors Island, New York City, March 19, 1917.

From: Department Commander.

To: The Adjutant General of the Army.

Subject: Shelter, etc., for Coast Artillery supports.

1. Complying with your telegram of the 17th instant there is submitted below a tabulated statement of the cost of providing shelter for the complete Coast Artillery support carried in the latest projects and a statement of the cost for the number of Coast Artillery supports deemed necessary by the department commander in the present emergency. In one instance (Sandy Hook) the department commander's estimate is greater on account of the intention to place a guard near Navesink Highlands. The estimates are based upon what is deemed a satisfactory construction. In several instances for the complete support they are greater than the original estimate of coast defense commanders for both supports and Coast Artillery personnel. This is due to

the fact that the cost of materials and labor have advanced and, further, to the fact that in some instances there were some buildings available. In these cases it is believed that the original estimate of coast defense commanders, increased 20 per cent to allow for increased cost of material and labor, will be satisfactory.

Coast defenses.	Estimate based upon full support being detailed.	Estimate based upon department commander's recommendation for Coast Artillery supports in present emergency.	Coast defenses.	Estimate based upon full support being detailed.	Estimate based upon department commander's recommendation for Coast Artillery supports in present emergency.
Kennebec.....	\$5,330	\$1,500	Chesapeake Bay.....	\$5,330	\$6,200
Portland.....	10,660	4,200	Cape Fear.....	15,330	2,665
Portsmouth.....	5,330	2,665	Charleston.....	17,995	2,665
Boston.....	15,990	7,995	Savannah.....	12,665	12,665
New Bedford.....	2,665	2,665	Kew West.....	17,995	15,330
Narragansett Bay.....	23,985	7,995	Tampa.....	17,995	2,665
Long Island Sound.....	23,985	7,995	Pensacola.....	17,995	15,330
Eastern New York.....	15,990	3,000	Mobile.....	15,990	2,665
Southern New York.....	10,660	6,200	New Orleans.....	5,330	5,330
Sandy Hook.....	15,330	17,995	Galveston.....	15,990	15,990
Delaware.....	17,995	5,330			
Baltimore.....	10,660	7,995		231,945	119,705
Potomac.....	10,660	2,665			

¹ Greater than estimate of coast-defense commander. See following paragraph.

2. There is quoted below the estimates of coast defense commanders for water supply, sanitation, and shelters, as reported October 16, 1916, in compliance with A. G. O. 2140628. It is difficult to separate the cost of water supply for supports from that for the Coast Artillery troops. Generally the cost for the former is merely the pipe extension from a system necessary for the batteries. In some instances—for example, Forts Gaines and McRee—there is practically no water supply; in others—for example, Fort Moultrie—the supply is inadequate for a war garrison. At Portland some stations have no water. It is urged that the full estimate for water be allowed.

Coast defenses.	Water supply.	Sanitation.	Kitchens and mess shelter.
Kennebec.....	15,535	11,724	23,900
Portland.....	17,420	38,696	71,806
Portsmouth.....	1,980	3,800	5,700
Boston.....	3,161	10,537	14,752
New Bedford.....	600	1,800	5,600
Narragansett Bay.....	26,608	3,362	37,815
Long Island Sound.....	8,973	64,322	72,370
Eastern New York.....	1,607	12,663	6,664
Southern New York.....	2,400	8,800	12,500
Sandy Hook.....	14,000	1,600	2,255
Delaware.....	2,782	7,216	6,902
Baltimore.....	5,000	33,250	28,400
Potomac.....	1,765	2,817	4,400
Chesapeake Bay.....	12,250	11,188	6,338
Cape Fear.....	25,930	6,140	2,848
Charleston.....	2,503	17,593	7,000
Savannah.....	276	661	715
Kew West.....	800	270	900
Tampa.....	4,972	2,161	7,110
Pensacola.....	1,604	5,748	2,049
Mobile.....	8,633	14,416	26,776
New Orleans.....	3,132	12,000	18,740
Galveston.....	3,975	505	2,280
Panama.....	27,200	8,240	28,380
Total.....	193,006	279,309	398,200

¹ This in addition to the \$30,000 already allotted for Fort Greble.

² \$12,000 estimated for a water boat to supply Fort Wool.

³ Partially provided for since estimate; \$22,815 may be deducted from total.

3. As stated in my previous report, there is no uniformity in the ideas as to proper sanitation. I believe we can make a reasonable provision for one-half the estimate of the coast-defense commanders.

4. To sum up, I recommend the following be allotted for this department, not including Panama:

Water supply-----	\$170, 191
Sanitation-----	190, 000
Shelters-----	120, 000
Total-----	480, 191

5. I again recommend that the full estimate be allowed for the Panama defenses, viz:

Water supply-----	\$27, 200
Sanitation-----	8, 240
Shelter-----	28, 880
Total-----	63, 820

This on account of distance from source of supply and in view of the absolute necessity for exceptional precautions in order to avoid contracting tropical diseases.

6. The telegram called for report on Coast Artillery supports only. In case estimate for shelters for available Coast Artillery Reserves is desired, in addition, in can be promptly submitted. The amount would be small, probably not over \$50,000.

LEONARD WOOD,
Major General, United States Army.

[Telegram.]

HEADQUARTERS SAN FRANCISCO, CAL.,
March 22, 1917.

ADJUTANT GENERAL,
Washington.

Reference your telegram March 17, estimate for camp for Coast Artillery supports providing for mess halls, kitchens, and screening water supply, latrines, bathhouses, sewage incinerators, and tent floors, sixty-six thousand seven hundred dollars.

BELL.

[First indorsement.]

THE ADJUTANT GENERAL'S OFFICE,
March 22, 1917.

To the QUARTERMASTER GENERAL:

Above amounts arbitrarily divided as follows:

Temporary shelter-----	\$33, 350
Water supply systems, etc-----	33, 350
Total-----	66, 700

ANIMALS FOR THE ARMY.

For the purchase and hire of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts; for officers entitled to public mounts; for the Cavalry, Artillery, Signal Corps, and Engineers; the United States Military Academy, service schools, and staff colleges; and for the Indian scouts, and for such infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto-----	\$73, 582, 250. 00
For the purchase and hire of draft, pack, and riding animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable horses and draft and pack animals-----	26, 500, 800. 00

Provided, That the number of horses purchased under the appropriation, added to the number now on hand, shall be limited

to the actual needs of the mounted service, including reasonable provisions for remounts; and unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses or mules not purchased by contract after competition duly invited by the Quartermaster Corps and an imposition under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for the purchase of Cavalry and Artillery horses, except when purchased as remounts for instruction of cadets at the United States Military Academy: *And provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place.

All the money hereinbefore appropriated for animals for the Army shall be disbursed and accounted for by officers of the Quartermaster Corps as animals for the Army, and for that purpose shall constitute one fund, in all----- \$100,083,050.00

FOR PURCHASE AND HIRE OF HORSES.

252,950 horses, Cavalry, at \$175-----	\$44,266,250.00
134,980 horses, Artillery, at \$200-----	26,996,000.00
9,280 horses, Artillery (heavy), at \$250-----	2,320,000.00
	<hr/>
	73,582,250.00

FOR PURCHASE AND HIRE OF DRAFT, PACK, AND RIDING HORSES.

800 horses, draft, at \$250-----	200,000.00
120 horses, bell, at \$175-----	21,000.00
101,420 mules, draft, at \$215-----	21,805,300.00
24,280 mules, pack, at \$150-----	3,642,000.00
5,550 mules, riding, at \$150-----	832,500.00
	<hr/>
	26,500,800.00
	<hr/>
Grand total-----	100,083,050.00

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF COAST ARTILLERY,
Washington, March 26, 1917.

From: Chief of Coast Artillery.
To: The Adjutant General.
Subject: Estimates for seacoast fortifications.

Replying to so much of the letter of The Adjutant General's Office dated March 20, 1917 (A. G. O. 2548726; O. C. C. A. 5949/52), as relates to estimates, the following recommendations are submitted as to the appropriations to be asked for Seacoast Artillery purposes at the coming extra session of Congress:

1. *Ordinary appropriations*.—Estimates for the following items for Coast Artillery purposes were submitted at the last session of Congress, but no appropriations therefor were made at that session because of the failure of the Army and sundry civil bills:

Army bill:	
Coast Artillery School (annual maintenance)-----	\$28,000.00
Sundry civil bill:	
United States—	
Enlargement and reclamation, Fort Taylor, Fla-----	350,000.00
Barracks and quarters, Seacoast Artillery, United States-----	150,000.00
Barracks and quarters, Seacoast Artillery, insular---	178,450.00

Sundry civil bill—Continued.

Panama fortifications—

Seacoast emplacements-----	\$480,000.00
Purchase of sites-----	100,000.00
Land defenses-----	780,000.00
Seacoast armament-----	1,308,000.00
Seacoast ammunition-----	1,985,000.00
Alteration and maintenance, seacoast artillery-----	475,000.00
Maintenance of clearings and trails-----	20,000.00
Preservation and repair of fortifications-----	15,000.00
Maintenance, power plants-----	7,500.00
Maintenance, submarine mines-----	2,500.00
Maintenance, fire control-----	15,000.00

Total (exclusive of amounts for ordnance depot and for construction of submarine base)----- 5,188,000.00

2. *Extraordinary appropriations.*—It is recommended that the sum to be asked at the coming session of Congress for extraordinary military expenditures in connection with the present international situation, be sufficient to cover the following amounts for seacoast artillery purposes, in addition to the amounts intended for other military purposes:

Construction of seacoast emplacements-----	\$2,500,000.00
(For the construction of emplacements for seacoast armament now under manufacture, and for temporary emplacements for seacoast armament already manufactured.)	
Fire control-----	2,697,225.00
(For completing the fire control installation at seacoast fortifications, insular possessions, and Panama Canal, including installation of standard system at batteries not now provided with that system, and the installation of auxiliary base lines.)	
Power plants-----	918,990.00
(For providing reserve power units and spare parts therefor seacoast fortifications.)	
Searchlights-----	3,894,195.00
(For completing the searchlight installation and providing spare parts therefor.)	
Submarine mines and nets-----	3,199,330.00
(Of the above amount the sum of \$2,374,930 is required for the completion of the submarine mine defenses proper, and \$824,400 for the provision of submarine nets at the entrance to harbors.)	
Maintenance, submarine mines and nets-----	500,000.00
(In the event that all mines and nets are planted and maintained constantly, the sum of \$500,000 will be required annually for maintenance and repair.)	
Coast Artillery boats-----	4,745,000.00
(The above amount is that estimated to be necessary for providing the additional Coast Artillery vessels required in time of war for mine planting and other artillery work, and for transportation purposes in connection with the maintenance of Coast Artillery garrisons.)	
Seacoast armament-----	20,000,000.00
(Of the above amount \$5,000,000 is estimated for the construction of 400 additional antiaircraft guns, and \$15,000,000 for the construction of other seacoast armament.)	
Seacoast ammunition-----	17,000,000.00
(This amount is intended to be applied toward completing the approved supply of ammunition for existing armament.)	
Searchlights for antiaircraft guns-----	2,000,000.00
(This amount is intended to be applied to the purchase and installation of searchlights for antiaircraft guns for seacoast defenses.)	

Protection of switchboard room and mine casemates.....	\$441,000.00
(The above amount is the estimated cost of providing protection against naval bombardment for switchboard rooms and mining casemates not now so protected.)	
Coast Artillery support defense.....	2,000,000.00
(The above amount is the estimated cost of purchasing the tools and other materials required for the construction of the approved land-defense lines to be occupied by Coast Artillery supports.)	
Camps and water supply, Coast Artillery supports.....	610,000.00
(The above amount is that estimated as necessary for the preparation of camps for Coast Artillery supports, including water supply and sanitation.)	
Additional utilities, Panama fortifications.....	182,460.00
(The above amount is the estimated cost of providing certain additional fortifications utilities on the Canal Zone, the provision of which was recommended by the Board of Review in par. 7, Proceedings No. 77, Mar. 20, 1917.)	
Contingencies.....	1,000,000.00
(It is believed that this sum should be provided for expenditure for unforeseen contingencies that may arise in connection with seacoast fortifications.)	

Total extraordinary appropriations..... 61,688,200.00

E. M. WEAVER.

SIGNAL SERVICE OF THE ARMY.

For the expense of equipping a force of 500,000 volunteers in addition to the Regular Army and National Guard and a reserve supply for one year:

	Signal Service.	Aeronautical.
22 Infantry divisions.....	\$2,809,012.80	\$25,600,000.00
4 Cavalry divisions.....	280,457.64	3,200,000.00
32 regiments Field Artillery.....	305,761.60	
16 aero squadrons (for Army corps headquarters).....		12,800,000.00
16 balloon companies (for Army corps headquarters).....		3,200,000.00
12 telegraph battalions (for Army corps headquarters).....	644,787.48	
9 training stations for aviators, at \$1,200,000 each.....		10,800,000.00
Tuition for training aviators in civilian schools.....		700,000.00
Lighter-than-air equipment.....		1,000,000.00
Tuition for training balloonists in civilian schools.....		150,000.00
Telegraph and radio installations for bases and lines of communication; camp telephone systems, target ranges, supply depots, reserve equipment for replacing purposes, pay for civilian employees, etc.....	1,500,000.00	
Total.....	5,520,019.52	57,450,000.00
Less equipment now on hand.....	702,253.20	3,200,000.00
Net total.....	4,817,766.32	54,250,000.00
SUMMARY.		
Signal Service.....		4,817,766.32
Aviation.....		54,250,000.00
Total.....		59,067,766.32

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, March 28, 1917.

From: The Chief of Engineers.
To: The Adjutant General.
Subject: Emergency estimates.

In accordance with instructions from The Adjutant General dated March 26, I submit herewith emergency supplemental estimates of the amounts required by the Engineer Department in case of the organization of a volunteer army of 500,000 men in addition to the Regular Army and National Guard.

W. M. BLACK, *Brigadier General.*

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, March 22, 1917.

From: The Chief of Engineers.

To: The Adjutant General.

Subject: Estimates for equipment of Army of 1,000,000 men.

1. Replying to your confidential letter dated March 21, 1917 (A. G. O. 2554258), the following estimates are submitted. These estimates include those called for in your letter dated March 21, 1917 (no file number), subject "Supplies and material for 500,000 volunteers." The estimate, called for in the latter letter, for the reserve supply necessary for such a force during one year of war is also furnished herein for an Army of 1,000,000 men.

	Engineer equipment of troops.	Engineer operations in the field.
Required to complete equipment of—		
Regular Army, 4 Infantry and 2 Cavalry divisions; National Guard, 12 Infantry divisions.....	\$2,189,400	\$5,400,000
Volunteers, 16 Infantry and 2 Cavalry divisions.....	4,175,600	5,400,000
Reserve (recruit) battalions.....	2,785,000	
Lines of communication troops, 12 Army corps.....	1,200,000	
	10,350,000	10,800,000
Required for tools and materials for land defense (not obtainable locally)...	5,000,000	7,500,000
Total, initial estimates.....	15,350,000	18,300,000
Total, both appropriations.....	33,650,000	
For 1 year maintenance under war conditions:		
Regular Army and National Guard.....	8,350,000	27,000,000
Volunteers.....	8,350,000	27,000,000
For land defenses.....	5,000,000	22,500,000
Total estimate for maintenance 1 year.....	21,700,000	76,500,000
Total, both appropriations.....	98,200,000	
Aggregate initial estimate plus maintenance for 1 year.....	37,050,000	94,800,000
Aggregate, both appropriations.....	131,850,000	

2. The above estimate for Engineer equipment of troops includes a 50 per cent initial reserve and 25 per cent for purchase on emergency basis. Material on hand or under contract has been deducted. The materials for land defense under this appropriation are chiefly in connection with antiaircraft defense.

3. The above estimate for Engineer operations in the field includes (a) \$10,800,000 for an initial stock of engineer materials not obtainable promptly in the market for field fortifications and other field work in connection with the operations of mobile troops, and (b) \$7,500,000 for tools and materials necessary, in addition to those obtainable promptly enough in the market, for construction of land defense works. Both of these items should be available at all times for use in case of war.

4. The amount of the initial estimate, \$33,650,000, should be available as soon as it is decided that the troops are to be raised. The amount for maintenance for one year should be available, or authority to incur obligations to that extent given, if it is considered possible that our forces will take an active part in war within a year. This is imperative, as the material will require six months to one year for delivery, and even to meet those deliveries will require prompt organization of the productive capacity of the country. Action as far as possible in advance is, therefore, recommended.

5. On account of the large amounts of materials required by all supply bureaus, prices are bound to rise excessively unless active steps are taken to control them. Price regulating must start with raw materials and be carried through each step in the process of manufacture. It is, therefore, suggested that a commission be formed of reserve officers, representing the several supply bureaus and acting under the Council of National Defense, and that the necessary legislation to make it effective be included in the act authorizing raising of the new forces.

W. M. BLACK, *Brigadier General.*

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, March 29, 1917.

From: The Chief of Engineers.
To: The Adjutant General.
Subject: Supplemental estimates.

1. I submit herewith supplemental estimates as follows:

Fortifications in the United States.....	\$13, 600, 000
Fortifications, Panama Canal, for inclusion in the sundry civil bill.....	183, 274

2. These estimates are submitted to cover extraordinary military expenditures contemplated in connection with the present international situation.

W. M. BLACK, *Brigadier General.*

ORDNANCE DEPARTMENT.

Funds required by the Ordnance Department to complete the equipment of the force contemplated by the national-defense act of 1916 and to maintain the force for one year; the force being approximately equal to the Regular Army at war strength, the present National Guard at war strength, and 500,000 additional troops.

	Amount required,
Purchase, manufacture, etc., of mountain, field, and siege cannon, including carriages, etc.....	\$55, 200, 000
Ammunition for mountain, field, and siege cannon.....	74, 000, 000
Purchase, manufacture, and test of seacoast cannon for coast defenses, including carriages, etc.....	¹ 22, 110, 000
Ammunition for seacoast cannon.....	13, 552, 000
Purchase, manufacture, and test of seacoast cannon for coast defenses, including carriages, etc., for insular possessions....	¹ 903. 750
Ammunition for seacoast cannon (insular possessions).....	7, 650, 000
Total	173, 415, 750

MAINTENANCE FOR ONE YEAR.

	Peace basis.	War basis.
Alteration and maintenance of mobile artillery.....	\$6, 112, 500	\$100, 000, 000
Alteration and maintenance, Seacoast Artillery.....	700, 000	3, 000, 000
Alteration and maintenance, Seacoast Artillery for insular possessions.....	500, 000	1, 000, 000
Maintenance of antiaircraft guns and mounts for Ordnance establishments.....		10, 000
Ammunition and other accessories for Coast Artillery target practice.....	700, 000	2, 000, 000
Ammunition and other material for mobile artillery target practice.....	9, 000, 000	9, 000, 000
Ammunition for seacoast cannon to replace that expended in hostilities.....		4, 255, 000
Mobile artillery ammunition to replace that expended in hostilities.....		96, 000, 000
Current expenses of proving grounds.....	200, 000	600, 000
Necessary expenses of officers, compensation of draftsmen.....	50, 000	100, 000
Ammunition for seacoast cannon, insular possessions, to replace that expended in hostilities.....		1, 602, 000
Total	17, 262, 500	217, 567, 000

FUNDS USUALLY APPROPRIATED IN THE ARMY BILL.

	Amount required.
Ordnance stores, ammunition.....	\$40, 248, 000
Manufacture of arms.....	22, 616, 000
Ordnance stores and supplies.....	37, 800, 000
Automatic machine rifles.....	18, 200, 000
Automatic machine rifles for National Guard.....	31, 200, 000
Armored motor cars.....	4, 500, 000
Field Artillery for National Guard.....	99, 800, 000
Ammunition for field artillery for National Guard.....	92, 000, 000
Antiaircraft guns and mounts for Ordnance establishments.....	1, 000, 000
Ammunition for antiaircraft guns for Ordnance establishments....	1, 840, 000
Total	349, 204, 000

¹ These items are total required to complete entire project.

MAINTENANCE FOR ONE YEAR.

	Peace basis.	War basis.
Ordnance stores, ammunition.....	\$50,000	\$102,800,000
Manufacture of arms.....	3,000,000	38,733,000
Ordnance stores and supplies.....	22,250,000	102,500,000
Small-arms target practice.....	19,000,000	19,000,000
Ordnance service.....	2,500,000	3,000,000
Rifle ranges for civilian instruction.....	1,600,000	1,600,000
Reserve Officers' Training Corps.....	1,524,000	1,524,000
Civilian military training.....	4,000,000	4,000,000
Military equipment, schools and colleges.....	718,000	718,000
Mobile artillery ammunition to replace that expended in hostilities.....		114,000,000
Total.....	54,042,000	387,875,000

FUNDS USUALLY APPROPRIATED IN THE SUNDRY CIVIL BILL.

Amount required.

Purchase, manufacture, and test of seacoast cannon for coast defenses, including their carriages, etc., for Panama Canal.....	¹ \$4,675,000
Ammunition for seacoast cannon, Panama Canal.....	3,283,000
Submarine mines.....	3,000,000
Total.....	10,958,000

MAINTENANCE FOR ONE YEAR.

	Peace basis.	War basis.
Alteration and maintenance of seacoast artillery, Panama Canal.....	\$600,000	\$1,000,000
Repairs of arsenals.....	800,000	800,000
Submarine mines.....	300,000	500,000
Ammunition for seacoast cannon, Canal Zone, to replace that expended in hostilities.....		872,000
Total.....	1,700,000	3,172,000

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, March 28, 1917.

From: The Ordnance Office.

To: The Adjutant General of the Army.

Subject: Estimates covering needs of Ordnance Department for equipping a force of 1,000,000 men.

1. In compliance with the instructions contained in letter from The Adjutant General's Office, dated March 26, 1916, A. G. O. 2555146 (O. O. 381.1/162), there are transmitted herewith estimates under the Army bill, the fortification bill, and the sundry civil bill (Panama Canal) covering the needs of the Ordnance Department for the equipment of a force of 1,000,000 men (500,000 National Guard and Regular Army and 500,000 volunteers). The estimates submitted under the Army bill and the sundry civil bill (Panama Canal) are in substitution for those submitted at the last Congress, which failed to make appropriations under these headings for the ensuing fiscal year; that is to say, the figures given in the estimates under the Army bill and the sundry civil bill include the amounts previously submitted and, in addition, the amount required under each item for the equipment of a force of 1,000,000 men. The estimate submitted under the fortification bill, on the contrary, is in addition to the amounts already appropriated under date of February 14, 1917, and represents the additional amount under each item required for the equipment of the force of 1,000,000 men before referred to. The estimates provide for the maintenance, on a peace basis, of the force stated for one year.

S. B. BABBITT,
Colonel, Ordnance Department, United States Army,
Acting Chief of Ordnance.

¹ This item is total required to complete entire project.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE.

Memorandum for the Chief of Staff.

The total number of volunteers called for during the War with Spain was 200,000. There were two calls—the first for 125,000 men and the second for 75,000 men.

The call made upon the governors of the various States by the War Department was for organizations and not for a specific number of men. However, the approximate quotas assigned to each State, Territory, and the District of Columbia under the separate calls are shown in the accompanying table.

The records of this office do not show the number that responded to the call, but do show the number that were mustered in from each State, Territory, and the District of Columbia. The inclosed copy of the Statistical Exhibit of Strength of Volunteer Forces Called Into Service During the War with Spain shows the total number of men in service during that war from each State and Territory. As shown by that exhibit, the total number accredited to the various States and Territories was 7,536 officers and 166,259 men at muster in, and the number of United States Volunteers was 763 officers and 16,992 enlisted men. The United States Volunteers were not raised in any one State, and consequently the strength of none of those organizations is included in the strength as shown by States. That exhibit also shows the total number of men in service from each State.

H. P. McCAIN,
The Adjutant General.

QUOTAS REQUIRED FROM EACH STATE.

	125,000 ap- portion- ment, quota.	75,000 ap- portion- ment, quota.		125,000 ap- portion- ment, quota.	75,000 ap- portion- ment, quota.
Alabama	2,500	1,500	Oregon	829	498
Arkansas	2,025	1,215	Pennsylvania	10,769	6,462
California	3,237	1,942	Rhode Island	710	426
Colorado	1,324	795	South Carolina	1,850	1,110
Connecticut	1,607	965	Tennessee	3,060	1,836
Florida	750	450	Texas	4,229	2,538
Georgia	3,174	1,905	Utah	434	255
Illinois	8,048	4,829	Virginia	2,787	1,672
Indiana	4,302	2,581	Washington	1,178	708
Iowa	3,772	2,264	West Virginia	1,389	834
Kansas	2,787	1,672	Wisconsin	3,274	1,965
Kentucky	3,408	2,045	Delaware	341	204
Louisiana	1,940	1,164	Idaho	239	139
Maine	1,256	753	Montana	537	313
Maryland	1,942	1,165	Nevada	141	82
Massachusetts	4,721	2,834	North Dakota	473	276
Michigan	4,369	2,622	South Dakota	766	449
Minnesota	2,873	1,723	Vermont	634	379
Mississippi	2,157	1,295	Wyoming	235	138
Missouri	5,411	3,246	Arizona	186	108
Nebraska	2,411	1,448	District of Columbia	449	270
New Hampshire	752	452	New Mexico	428	204
New Jersey	2,962	1,778	Oklahoma	146	84
New York	12,514	7,508	Indian Territory	98	*
North Carolina	2,584	1,551			
Ohio	7,248	4,348			
				125,156	75,000

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES.

Organization.	Mustered in.		Mustered out.		Strength at muster in.		Strength at muster out.		Total number accounted for on muster-out roll.	Losses while in service.									
										Officers. -									
										Died.									
	Date.	Place.	Date.	Place.	Offi- cers.	Men.	Offi- cers.	Men.		Promoted or transferred.	Resigned or discharged.	Dismissed.	Killed in action.	Of wounds.	Disease, etc.	Accident.	Drowned.	Suicide.	Murdered.	Total.
Major generals.....					25		4		25	8	13								21
Brigadier generals.....					106		16		106	8	80			2					90
Adjutant General's Department.					125		10		125	6	108			1					115
Inspector General's Department.					41		10		41	3	27			1					31
Judge Advocate General's Department.					11		5		11		6								6
Quartermaster General's Department.					164		87		164		74	1	2						77
Subsistence Department.					120		20		120		95	1	3			1			100
Medical Department.					143		34		143		108			2					109
Pay Department.					93		31		93	1	60			1					62
Engineer Department.					28				28	2	26								28
Ordnance Department.					26				26	2	23								26
Signal Corps.....					128		37		128	3	83	1	3	1					91
Total general officers and staff.					1,010		254		1,010	33	703	3	15	1			1		756

INCREASE OF MILITARY ESTABLISHMENT.

185

Alabama Volunteer Infantry: First.....	May 9-24, 1898	Mobile, Ala.....	Oct. 31, 1898	48	941	49	1,089	55	1,596	3	2	1	6
Second.....	May 16-June 14, 1898.	do.....	do.....	47	935	49	926	50	1,090	..	..	..	1
Third.....	June 4-Aug. 5, 1898.	do.....	Mar. 20, 1899	46	1,185	46	992	53	1,178	..	..	..	7
Arkansas Volunteer Infantry: First.....	May 14-20, 1898.	Little Rock, Ark.....	Oct. 25, 1898	46	966	46	1,227	48	1,421	..	2	..	2
Second.....	May 14-25, 1898.	do.....	Feb. 25, 1899	45	968	46	822	60	1,307	..	13	1	14
California Volunteer Infantry: First.....	May 6, 1898	San Francisco, Cal.....	Sept. 21, 1899	51	986	50	999	71	1,317	..	20	1	21
Sixth.....	May 11, 1898	do.....	Dec. 15, 1898	31	641	31	591	34	838	..	3	..	3
Seventh.....	May 9, 1898	do.....	Dec. 2, 1898	50	979	50	1,169	52	1,304	..	2	..	2
Eighth.....	July 6-9, 1898	Fruitvale, Cal.....	Feb. 6, 1899	35	1,250	46	1,211	49	1,300	..	3	..	3
California Volunteer Artillery: Field and staff.....	May 9, 1898	San Francisco, Cal.....	Sept. 21, 1899	3	1	3	1	4	1	..	..	..	1
Battery A.....	do.....	do.....	do.....	4	146	4	137	6	207	..	2	..	2
Battery B.....	do.....	do.....	Jan. 30, 1899	4	146	4	168	6	200	..	2	..	2
Battery C.....	May 10, 1898	do.....	Feb. 3, 1899	4	146	4	176	4	200	..	..	..	..
Battery D.....	do.....	do.....	Sept. 21, 1899	4	146	4	135	6	200	..	..	..	2
Colorado: Volunteer First Infantry.....	May 1, 1898	Denver, Colo.....	Sept. 8, 1899	46	970	46	938	67	1,261	7	13	1	21
First Volunteer Battery.....	July 18, 1898	do.....	Nov. 7, 1898	3	106	3	103	3	106	..	..	..	..
Connecticut Volunteer Infantry: First.....	May 17-July 14, 1898.	Connecticut.....	Oct. 31, 1898	42	798	45	1,230	48	1,265	..	..	..	3
Third.....	July 2-6, 1898	Niantic, Conn.....	Mar. 20, 1899	45	1,222	45	1,105	61	1,291	..	16	..	16
Connecticut Volunteer Artillery: Light Battery A.....	May 19, 1898.	do.....	Oct. 25, 1898	5	120	5	137	5	172	..	..	..	..
Heavy Battery B.....	do.....	do.....	Dec. 20, 1898	4	146	4	174	4	203	..	..	..	..

1 Colored troops.

INCREASE OF MILITARY ESTABLISHMENT.

187

Georgia Light Artillery: Batteries A and B. May 13-15, 1898.	May 13-15, 1898.	do.	Oct. 17, 1898	Griffin, Ga.	8	246	7	308	8	333	1
Idaho Volunteer Infantry: First. May 7-18, 1898.	May 7-18, 1898.	Boise, Idaho.	Sept. 25, 1899	San Francisco, Cal.	32	644	32	444	50	678	18
Illinois Volunteer Infantry: First. May 13, 1898	May 13, 1898	Springfield, Ill.	Nov. 17, 1898	Chicago, Ill.	50	979	49	1,185	50	1,292	1
Second.	May 16, 1898	do.	Apr. 26, 1899	Augusta, Ga.	50	980	48	1,006	58	1,350	10
Third.	May 7-10, 1898.	do.	Jan. 13-24, 1899.	Illinois	47	983	50	1,223	52	1,317	2
Fourth.	May 19-20, 1898.	do.	May 2, 1899	Augusta, Ga.	50	994	49	960	66	1,308	17
Fifth.	May 4-9, 1898	do.	Oct. 16, 1898	Springfield, Ill.	50	974	48	1,212	53	1,256	5
Sixth.	May 11, 1898	do.	Nov. 25, 1898	do.	50	973	49	1,224	53	1,284	4
Seventh.	May 18, 1898	do.	Oct. 20, 1898	Chicago, Ill.	50	974	49	1,260	52	1,339	4
Eighth.	July 12-21, 1898.	do.	Apr. 3, 1899	do.	43	1,226	46	1,180	49	1,244	3
Ninth.	July 4-11, 1898.	do.	May 20, 1899	Augusta, Ga.	45	1,276	45	1,095	52	1,319	7
Illinois Volunteer Cavalry: First.	May 20-21, 1898.	do.	Oct. 11, 1898	Fort Sheridan, Ill.	50	974	50	1,158	57	1,218	7
Illinois Light Artillery: Battery A.	May 12, 1898	Springfield, Ill.	Nov. 25, 1898	Danville, Ill.	4	120	4	164	5	173	1
Indiana Volunteer Infantry: One hundred and fifty-seventh.	May 10, 1898	Indianapolis, Ind.	Nov. 1, 1898	Indianapolis, Ind.	50	972	50	1,223	54	1,288	4
One hundred and fifty-eighth.	do.	do.	Nov. 4, 1898	do.	50	976	50	1,223	52	1,294	2
One hundred and fifty-ninth.	May 12, 1898	do.	Nov. 23, 1898	do.	50	977	49	1,240	52	1,317	3
One hundred and sixtieth.	do.	do.	Apr. 25, 1899	Savannah, Ga.	50	973	50	1,031	57	1,303	7
One hundred and sixty-first.	July 11-13, 1898	do.	Apr. 30, 1899	do.	46	1,228	46	1,153	52	1,411	6
First (Companies A and B). Indiana Volunteer Battery.	July 15, 1898	do.	Jan. 20, 1899	Chickamauga, Ga.	6	196	6	198	6	211	6
Twenty-seventh.	May 10, 1898	do.	Nov. 25, 1898	Indianapolis, Ind.	4	121	4	168	4	173	1
Twenty-eighth.	May 12, 1898	do.	Oct. 31, 1898	do.	4	121	4	172	4	175	1

* Colored troops.

² Companies A, C, E, H, I, K, L, M.

⁴ Companies B, D, F, G.

¹ Companies C, D, E, F, H, I, K, L.

³ Companies A, B, G, M.

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Organization.	Mustered in.		Mustered out.		Strength at muster in.		Strength at muster out.		Total number accounted for on muster-out roll.	Officers.							Total.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
	Date.	Place.	Date.	Place.	Offi- cers.	Men.	Offi- cers.	Men.		Promoted or transferred.	Resigned or discharged.	Dismissed.	Died.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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Kentucky Volunteer Infantry: First.....	June 1-10, 1898.	Lexington, Ky.	Feb. 24, 1899	Louisville, Ky.	48	1,251	47	1,222	51	1,283	4
Second.....	May 14-25, 1898.	do.	Oct. 31, 1898	Lexington, Ky.	45	941	50	1,266	54	1,374	4
Third.....	May 21-31, 1898.	do.	May 16, 1899	Savannah, Ga.	46	945	50	954	57	1,254	7
Fourth.....	July 4-27, 1898.	do.	Feb. 12, 1899	Anniston, Ala.	41	1,268	46	1,117	49	1,286	3
Kentucky Volunteer Cavalry: A and B.....	May 28, 1898	do.	Oct. 14, 1898	Lexington, Ky.	6	154	6	197	6	200	.....
Louisiana Volunteer Infantry: First.....	May 8-18, 1898.	New Orleans, La.	Oct. 3, 1898	Jacksonville, Fla.	46	977	42	1,114	50	1,330	8
Second.....	May 11-26, 1898.	do.	Apr. 18, 1899	Savannah, Ga.	46	960	45	797	63	1,146	18
Louisiana Volunteer Batteries: A, B, and C.....	July 6-7, 1898	New Orleans, La.	Nov. 12, 1898	New Orleans, La.	9	318	9	312	9	318	.....
Maine Volunteer Infantry: First.....	May 10-26, 1898.	Augusta, Me.	Oct. 25-Dec. 13, 1898.	Maine.....	46	979	46	1,211	51	1,301	5
Maine Volunteer Artillery: Batteries A, B, C, and D.....	May 17-July 20, 1898.	do.	Mar. 31, 1899	Savannah, Ga.	15	465	15	457	16	525	1
Maryland Volunteer Infantry: First.....	May 16-June 26, 1898.	Maryland.....	Feb. 28, 1899	Augusta, Ga.	43	1,044	49	1,070	63	1,307	14
Fifth.....	May 14, 1898	Pimlico, Md.	Oct. 22, 1898	Baltimore, Md.	48	935	49	1,229	51	1,290	2
Massachusetts Volunteer Infantry: Second.....	May 8-10, 1898	South Framingham, Mass.	Nov. 3, 1898	Springfield, Mass.	47	896	44	797	47	896	3
Fifth.....	June 30, July 2, 1898.	do.	Mar. 31, 1899	Greenville, S.C.	41	1,230	46	1,153	60	1,268	14
Sixth.....	May 12-13, 1898.	do.	Jan. 21, 1899	Boston, Mass.	47	896	46	1,172	54	1,280	8
Eighth.....	May 11-14, 1898.	do.	Apr. 28, 1899	do.	47	896	46	1,161	59	1,358	13
Ninth.....	May 9-12, 1898	do.	Nov. 26, 1898	do.	47	896	46	1,151	53	1,281	7
Massachusetts Volunteer Artillery: First.....	May 9, 1898	Fort Warren, Mass.	Nov. 14, 1898	Massachusetts.	48	701	46	666	48	709	2

Missouri Volunteer Infantry: First.....	May 13, 1898	Jefferson Barracks, Mo.	Oct. 31, 1898	St. Louis, Mo.	47	981	43	1,177	47	1,319	3	1	4
Second.....	May 12, 1898	Jefferson Barracks, Mo.	Feb. 27-Mar. 3, 1899	Albany, Ga.	45	943	46	1,060	58	1,281	12	1	12
Third.....	May 14, 1898	do.	Nov. 7, 1898	Kansas City, Mo.	50	974	47	1,227	53	1,321	5	5	6
Fourth.....	May 16, 1898	do.	Feb. 10, 1899	Greenville, S. C.	49	974	45	1,115	58	1,310	12	1	13
Fifth.....	May 18, 1898	do.	Nov. 9, 1898	Kansas City, Mo.	49	976	47	1,207	54	1,322	7	1	7
Sixth.....	July 20-Aug. 6, 1898	do.	May 10, 1899	Savannah, Ga.	27	1,265	46	1,027	53	1,357	6	1	7
Missouri Light Artillery: Battery A.....	May 9, 1898	do.	Nov. 30, 1898	Jefferson Barracks, Mo.	4	121	4	155	4	173	.....	.....	.....
Montana Volunteer Infantry: First.....	May 5-10, 1898	Helena, Mont.	Oct. 17, 1899	San Francisco, Cal.	48	976	48	673	78	1,054	28	1	30
Nebraska Volunteer Infantry: First.....	May 9, 10, 1898	Lincoln, Nebr.	Aug. 23, 1899	do.	51	983	45	942	98	1,288	23	2	53
Second.....	May 9-14, 1898	do.	Oct. 24, 1898	Omaha, Nebr.	46	975	45	1,237	47	1,307	.....	1	2
Third.....	July 1-17, 1898	Omaha, Nebr.	May 11, 1899	Augusta, Ga.	40	1,274	46	859	55	1,251	8	1	9
Nevada Volunteer Infantry: Battalion.....	July 19-22, 1898	Carson City, Nev.	Oct. 29, 1898	Carson City, Nev.	12	400	13	277	14	405	.....	.....	1
Nevada Volunteer Cavalry: First Troop.....	June 8, 1898	Chayenne, Wyo.	Nov. 15, 1899	San Francisco, Cal.	3	81	3	50	3	100	.....	.....	.....
New Hampshire Volunteer Infantry: First.....	May 8-14, 1898	Concord, N. H.	Oct. 31, 1898	Concord, N. H.	47	952	47	1,234	60	1,309	10	3	13
New Jersey Volunteer Infantry: First.....	May 5-12, 1898	Sea Girt, N. J.	Nov. 4, 1898	Newark, N. J.	51	949	46	1,214	51	1,302	5	.....	5
Second.....	May 13-15, 1898	do.	Nov. 17, 1898	Paterson, N. J.	51	979	50	1,220	54	1,314	4	.....	4
Third.....	May 11-13, 1898	do.	Feb. 11, 1899	Athens, Ga.	51	970	48	1,035	63	1,248	15	.....	15
Fourth.....	July 7-24, 1898	do.	Apr. 6, 1899	Greenville, S. C.	31	1,265	49	1,053	69	1,400	20	.....	20

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Organization.	Mustered in.		Mustered out.		Strength at muster in.		Strength at muster out.		Total number accounted for on muster-out roll.		Losses while in service.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
	Date.	Place.	Date.	Place.	Offi- cers.	Men.	Offi- cers.	Men.	Promoted or transferred.	Resigned or discharged.	Dismissed.	Officers.							Total.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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Two hundred and second.	July 19-Aug. 8, 1898.	Buffalo, N. Y.	Apr. 15, 1899	Savannah, Ga.	43	1,255	46	1,027	57	1,257	10	1	11
Two hundred and third.	July 15-25, 1898.	New York, N. Y.	Mar. 25, 1899	Greenville, S. C.	44	1,266	46	978	61	1,296	15		15
New York Volunteer Cavalry:													
Troop A.	May 20, 1898	Hempstead, N. Y.	Nov. 28, 1898	New York, N. Y.	3	81	3	97	3	122			
Troop C.	do.	do.	Nov. 25, 1898	Brooklyn, N. Y.	3	81	3	100	3	107			
New York Volunteer Artillery:													
Fourth Light Battery.	July 27, 1898	New York, N. Y.	Oct. 21, 1898	New York, N. Y.	3	106	3	105	3	106			
Fifth Light Battery.	do.	do.	Oct. 24, 1898	do.	2	106	3	94	3	100			
Seventh Light Battery.	do.	Rochester, N. Y.	Nov. 30, 1898	Rochester, N. Y.	2	106	3	103	3	106			
North Carolina Volunteer Infantry:													
First.	May 3-11, 1898	Raleigh, N. C.	Apr. 22, 1899	Savannah, Ga.	50	932	50	1,028	60	1,387	10		10
Second.	May 9-27, 1898	do.	Nov. 3-25, 1898	North Carolina.	52	930	49	1,213	54	1,342	4		5
Third.	May 12-July 19, 1898.	Fort Macon, N. C.	Jan. 31-Feb. 8, 1899.	Macon, Ga.	43	978	40	1,022	50	1,073	9	1	10
North Dakota Volunteer Infantry:													
First.	May 13-16, 1898.	Fargo, N. Dak.	Sept. 25, 1899	San Francisco, Cal.	27	658	31	507	48	671	17		17
Ohio Volunteer Infantry:													
First.	May 6-June 30, 1898.	Columbus, Ohio	Oct. 25, 1898	Cincinnati, Ohio	43	896	50	1,257	54	1,321	4		4
Second.	May 10-June 30, 1898.	do.	Feb. 10-15, 1899.	Macon, Ga.	48	874	50	1,163	54	1,278	4		4
Third.	do.	do.	Oct. 26, 1898	Columbus, Ohio	43	913	50	1,246	53	1,297	1	2	3
Fourth.	May 9-16, 1898	do.	Jan. 20, 1899	do.	50	842	49	1,210	53	1,297	3		4
Fifth.	May 11-June 30, 1898.	do.	Nov. 5, 1898	Cleveland, Ohio	47	913	49	1,221	49	1,296			
Sixth.	May 12-July 2, 1898.	do.	May 24, 1899	Augusta, Ga.	46	874	46	1,055	65	1,380	7	1	19
Seventh.	May 13-June 30, 1898.	do.	Nov. 6, 1898	Columbus, Ohio	49	872	49	1,117	52	1,311	2	1	3
Eighth.	May 13, 1898	do.	Nov. 21, 1898	Wooster, Ohio.	48	838	50	1,180	60	1,286	6	4	10
Ninth.	May 14-July 8, 1898.	do.	Jan. 26, 1899	Summerville, S. C.	16	314	16	395	19	440	3		3
Tenth.	July 1-7, 1898	do.	Mar. 23, 1899	Augusta, Ga.	42	1,280	46	1,129	55	1,283	9		9
Ohio Volunteer Cavalry:													
First.	May 9-11, 1898	Ohio.	Oct. 22-24, 1898	Ohio.	33	555	33	763	39	833	6		6
Ohio Volunteer Artillery:													
First Battalion.	May 11, 1898	Columbus, Ohio	Oct. 21-23, 1898	Columbus, Ohio	20	386	20	671	20	710			

Colored troops.

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Organization.	Mustered in.		Mustered out.		Strength at muster in.		Strength at muster out.		Total number accounted for on muster-out roll.	Losses while in service.										
	Date.	Place.	Date.	Place.	Off-icers.	Men.	Off-icers.	Men.		Promoted or transferred.	Resigned or discharged.	Dismissed.	Killed in action.	Of wounds.	Disease, etc.	Accident.	Drowned.	Suicide.	Murdered.	Total.
Oregon Volunteer Infantry: Second.....	May 7-15, 1898	Portland, Ore.	Aug. 7, 1899	San Francisco, Cal.	50	970	44	1,024	56	1,296	12									12
Oregon Volunteer Light Artillery: Battery A.....	July 1, 1898	.....do.....	Oct. 15, 1898	Vancouver Barracks, Wash. Portland, Ore.	3	106	3	104	3	106										
Battery B.....	July 26, 1898	.....do.....	Oct. 20, 1898	Portland, Ore.	3	106	3	106	3	106										
Pennsylvania Volunteer Infantry: First.....	May 10-11, 1898.	Mount Gretna, Pa.	Oct. 26, 1898	Philadelphia, Pa.	40	754	41	992	49	1,119	7			1						8
Second.....	May 10-13, 1898.	.....do.....	Nov. 15, 1898	.....do.....	40	754	25	391	42	1,079	17									17
Third.....	May 9-July 22, 1898.	Pennsylvania.....	Oct. 22, 1898	.....do.....	40	816	42	877	45	983	3									3
Fourth.....	May 9-July 6, 1898.	.....do.....	Nov. 16, 1898	Pennsylvania.....	47	1,014	45	1,211	50	1,361	2			3						5
Fifth.....	May 11-July 20, 1898.	.....do.....	Nov. 7-11, 1898.	.....do.....	41	1,022	48	1,231	49	1,278	1									1
Sixth.....	May 10-13, 1898.	Mount Gretna, Pa.	Oct. 17, 1898	.....do.....	50	927	50	1,223	51	1,331	1									1
Eighth.....	May 11-12, 1898.	.....do.....	Mar. 7, 1899	Augusta, Ga.....	41	774	41	949	49	1,074	8									8
Ninth.....	May 11-July 12, 1898.	Pennsylvania.....	Oct. 29, 1898	Pennsylvania.....	41	623	46	1,224	56	1,301	2			3						10

Tenth.....	May 11-12, 1898.	Mount Gretna, Pa.	Aug. 22, 1899	San Francisco, Cal.	36	604	33	736	42	892	8	1	9
Twelfth.....	May 11-13, 1898.	do.	Oct. 29, 1898	Pennsylvania..	36	604	35	829	36	867			1
Thirteenth.....	May 12-13, 1898.	do.	Mar. 11, 1899	Augusta, Ga....	36	604	36	759	37	858	1		1
Fourteenth.....	May 12, 1898	do.	Feb. 28, 1899	Summerville, S. C.	36	604	35	687	50	890	15		15
Fifteenth.....	May 10-11, 1898.	do.	Jan. 31, 1899	Athens, Ga.....	36	604	33	675	41	842	7		8
Sixteenth.....	May 10-July 18, 1898.	Pennsylvania..	Dec. 22-26, 1898.	Pennsylvania..	47	1,028	48	1,288	50	1,307	2		2
Eighteenth.....	May 11-13, 1898.	Mount Gretna, Pa.	Oct. 22, 1898	Pittsburgh, Pa.	34	604	34	887	36	887	2		2
Pennsylvania Volunteer Cavalry:													
Philadelphia City Troop.	May 7, 1898	do.	Nov. 21, 1898	Philadelphia, Pa.	3	60	3	82	3	104			
Governor's Troop.	May 13, 1898	do.	do.	Harrisburg, Pa.	3	60	3	97	3	100			
Sheridan's Troop.	May 11, 1898	do.	Nov. 16, 1898	Tyrone, Pa.....	3	60	5	100	6	101	1		1
Pennsylvania Volunteer Artillery:													
Light Battery A..	May 6, 1898	do.	Nov. 19, 1898	Philadelphia, Pa.	3	60	4	160	5	178	1		1
Light Battery B..	May 8, 1898	do.	Nov. 27, 1898	Pittsburgh, Pa.	3	60	4	170	4	173			
Light Battery C..	May 6, 1898	do.	Nov. 28, 1898	Phoenixville, Pa.	3	60	3	168	5	174	2		2
Rhode Island Volunteer Infantry:													
First.....	May 10-17, 1898.	Quonsett Point, R. I.	Mar. 30, 1899	Columbia, S. C.	46	958	45	1,039	68	1,366	7	16	23
Rhode Island Volunteer Artillery:													
Light Batteries A and B.	June 25-28, 1898.	do.	Oct. 26, 1898	Quonsett Point, R. I.	8	212	6	212	8	212	2		2
South Carolina Volunteer Infantry:													
First.....	May 10-26, 1898.	Columbia, S. C.	Nov. 10, 1898	Columbia, S. C.	47	951	49	1,140	53	1,306	3	1	4
Second.....	May 14-Aug. 23, 1898.	do.	Apr. 19, 1899	Augusta, Ga....	39	999	46	787	47	1,010	1		1
South Carolina Volunteer Artillery:													
Heavy Battery...	May 21, 1898	do.	Feb. 4, 1899	Sullivan's Island, S. C.	4	140	4	150	4	198			
South Dakota Volunteer Infantry:													
First.....	May 12-19, 1898.	Stout Falls, S. Dak.	Oct. 5, 1899	San Francisco, Cal.	46	983	46	622	70	1,064	20		24
Tennessee Volunteer Infantry:													
First.....	May 19-26, 1898.	Nashville, Tenn	Nov. 23, 1899	do.	47	975	44	624	79	1,947	9	24	35

Light Battery B.	do.	do.	do.	do.	do.	4	121	4	132	7	173	3	3	3	3
Light Battery C.	July 14, 1898	do.	do.	Dec. 21, 1898	do.	3	106	3	94	3	106	3	1	1	3
Utah Volunteer Cavalry.	May 12, 1898	do.	do.	Dec. 23, 1898	San Francisco, Cal.	3	81	3	86	3	100	1	1	1	3
Vermont Volunteer Infantry.	May 16, 1898	Burlington, Vt.	do.	Oct. 28-Nov. 7, 1898	Vermont.	48	980	49	925	52	992	2	1	1	3
Virginia Volunteer Infantry.	May 11-21, 1898	Richmond, Va.	do.	Dec. 13-20, 1898	Virginia.	45	976	46	1,146	48	1,282	1	1	1	2
Third.	May 13-26, 1898	do.	do.	Nov. 5, 1898	Richmond, Va.	46	955	46	1,222	52	1,324	5	1	1	6
Fourth.	May 9-25, 1898	do.	do.	Apr. 27, 1899	Savannah, Ga.	44	954	46	1,077	57	1,588	6	1	1	11
Sixth.	July 9-Aug. 11, 1898	Virginia.	do.	Jan. 26-28, 1899	Macon, Ga.	29	824	28	804	37	825	9	1	1	9
Washington Volunteer Infantry.	May 6-13, 1898	Tacoma, Wash.	do.	Nov. 1, 1899	San Francisco, Cal.	46	967	46	769	73	1,347	25	1	1	27
Battalion.	July 2-15, 1898	do.	do.	Oct. 28, 1898	Vancouver Barracks, Wash.	14	412	14	411	14	420	1	1	1	1
West Virginia Volunteer Infantry.	May 7-14, 1898	Charleston, W. Va.	do.	Feb. 4, 1899	Columbus, Ga.	46	964	47	1,039	59	1,300	1	1	1	12
Second.	June 25-July 30, 1898	do.	do.	Apr. 10, 1899	Greenville, S. C.	42	1,281	45	1,157	51	1,284	6	1	1	6
Wisconsin Volunteer Infantry.	May 14, 1898	Milwaukee, Wis.	do.	Oct. 19, 1898	Wisconsin.	50	976	49	1,224	51	1,269	1	1	1	2
First.	May 12, 1898	do.	do.	Nov. 9-21, 1898	do.	49	972	48	1,248	52	1,301	3	1	1	4
Second.	May 11, 1898	do.	do.	Jan. 4-17, 1899	do.	50	975	49	1,196	55	1,264	5	1	1	4
Third.	May 11, 1898	do.	do.	Feb. 28, 1899	Anniston, Ala.	46	1,265	46	1,080	50	1,243	1	1	1	4
Fourth.	July 11, 1898	do.	do.	Oct. 8, 1898	Milwaukee, Wis.	3	105	3	105	3	105	1	1	1	4
Wisconsin Volunteer Light Battery.	May 7-10, 1898	Cheyenne, Wyo.	do.	Sept. 23, 1899	San Francisco, Cal.	14	324	14	239	17	329	3	1	1	3
Wyoming Volunteer Light Battery.	June 16, 1898	do.	do.	do.	do.	3	122	3	57	6	124	2	1	1	3
U. S. Volunteer Engineers.	June 25-July 16, 1898	Peekskill, N. Y.	do.	Jan. 25, 1899	New York, N. Y.	50	1,068	44	1,007	56	1,100	11	1	1	12

1 Colored troops.

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Organization.	Mustered in.		Mustered out.		Strength at muster in.		Strength at muster out.		Total number accounted for on muster-out roll.	Losses while in service.									
	Date.	Place.	Date.	Place.	Off-icers.	Men.	Off-icers.	Men.		Promoted or transferred.	Dismissed.	Killed in action.	Of wounds.	Disease, etc.	Accident.	Drowned.	Suicide.	Murdered.	Total.
U. S. Volunteer Engineers—Continued.																			
Second	June 28-July 12, 1898.	Ohio, Indiana, Illinois, Minnesota, Nebraska, Colorado, Utah, California, Oregon.	May 16, 1899	Augusta, Ga.	49	1,087	45	659	61	1,103	16								16
Third	July 25-Aug. 20, 1898.	Jefferson Barracks, Mo.	do.	San Francisco, Cal.															
U. S. Volunteer Cavalry.																			
First	May 1-21, 1898	Texas, Indian Territory, New Mexico.	May 17, 1899	Fort McPherson, Ga.	53	1,094	52	805	73	1,318	21								21
Second	May 1-30, 1898	Cheyenne, Wyo	Sept. 15, 1898	Montauk Point, N. Y.	47	994	47	1,090	52	1,185	2	2	1						5
Third	May 12-23, 1898	North Dakota, South Dakota, Montana, Nebraska.	Oct. 24, 1898	Jacksonville, Fla.	41	968	47	565	55	1,109	3	5							8
U. S. Volunteer Infantry.																			
First	May 25-June 4, 1898	Galveston, Tex.	Sept. 8, 1898	Chickamauga, Ga.	45	961	45	936	47	988	2								2
Second	June 15-26, 1898	Covington, La.	Oct. 28, 1898	Galveston, Tex.	46	971	46	956	49	1,002	2								3
			June 22, 1899	Camp Meade, Pa.	45	950	44	644	63	1,175	6	12	1						19

Third.....	June 11-July 9, 1898.	Macon, Ga.....	May 2, 1899	Macon, Ga.....	43	984	46	828	60	1,051	12	1	1	14							
Fourth.....	June 2-25, 1898	District of Columbia, Virginia, West Virginia, Maryland.	June 8, 1899	Camp Meade, Pa.	46	962	44	738	74	1,106	14	15	1	30							
Fifth.....	June 24-July 13, 1898.	Columbus, Miss.	May 31, 1899	.....do.....	46	981	46	682	81	1,101	24	11		35						
Sixth.....	June 24-July 16, 1898.	Kentucky, Tennessee.	Mar. 15, 1899	Savannah, Ga..	46	904	46	873	54	995	....	8		8						
Seventh ^a	July 6-23, 1898	Missouri.....	Feb. 28, 1899	Macon, Ga.....	42	953	45	897	58	985	....	12	1	13						
Eighth ^a	June 22-July 24, 1898.	New Jersey, Tennessee, District of Columbia, Kentucky, West Virginia.	Mar. 6, 1899	Chickamauga, Ga.	40	868	46	934	50	1,128	....	4		4						
Ninth ^a	June 18-July 16, 1898.	New Orleans, La.	May 25, 1899	Camp Meade, Pa.	46	984	46	869	72	1,047	6	16	1	26							
Tenth ^a	July 2-22, 1898	District of Columbia, Virginia, Georgia, South Carolina, Florida.	Mar. 8, 1899	Macon, Ga.....	44	964	45	898	48	999	....	2	1	3						
Territorial Volunteer Infantry:																					
First.....	July 4-23, 1898	Arizona, Oklahoma, Indian Territory, New Mexico.	Feb. 11-15, 1899.	Albany, Ga....	34	1,269	46	1,118	50	1,265	....	4		4						
Total.....					8,970	173,717	8,299	183,521	10,668	220,213	198	2,015	8	18	3	119	4	1	3	2,399

Headquarters A, B, C, D, E, F, G, and H.

I. K, L, and M.

Colored troops.

^aColored troops.^aI, K, L, and M.^aHeadquarters A, B, C, D, E, F, G, and H.

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Organization.	Losses while in service.										Memoranda.								
	Enlisted men.										Service beyond the United States.								
	Discharged.		Died.								Wound- ed.	Place.	Date.						
	Disability.	By sentence of general court-martial.	By order.	Killed in action.	Of wounds received in action.	Of disease, etc.	Accident.	Drowned.	Suicide.	Murdered or homicide.					Deserted.	Total.	Officers.	Enlisted men.	
Transferred.															Where.	Leaving the United States.	Arrival in foreign country.	Leaving for foreign country.	Returned to the United States.
Major-generals.....																			
Brigadier-generals.....																			
Adjutant-General's Department.....													2						
Inspector-General's Department.....													1						
Judge Advocate General's Department.....																			
Quartermaster General's Department.....													1						
Subsistence Department.....													1						
Medical Department.....																			
Pay Department.....																			
Engineer Department.....																			
Ordnance Department.....																			
Signal Corps.....	9	1,267		19	3							1,329							
Total general officers and staff.....	9	1,267		19	3							1,329							

Alabama . Volunteer Infantry:	301	31	38	15	32	507						
First:	19	35	38	15	3	164						
Second:		12	71	7	58	186						
Third:												
Arkansas Volunteer Infantry:	76	55	19	22	20	194						
First:	59	60	2	27	43	485						
Second:												
California Volunteer Infantry:	61	43	1	24	2	318	45	Philippine Islands	May 25, 1898	June 30, 1898	July 26, 1899	Aug. 24, 1899
First:	7	23	290	20	1	267						
Sixth:	10	9	91	3	5	135						
Seventh:	16	36	21	7	7	89						
Eighth:												
California Volunteer Infantry:												
Field and staff:												
Battery A:	4	8	3	3	7	70		Philippine Islands	Oct. 19, 1898	Nov. 22, 1898	July 26, 1899	Aug. 24, 1899
Battery B:	2	3	8	2	14	22		do.	do.	do.	do.	Do.
Battery C:	2	9	1	2	3	24						
Battery D:	2	9	49	2	3	65		Philippine Islands	Oct. 17, 1898	Nov. 21, 1898	July 26, 1899	Aug. 24, 1899
Colonel:							2	do.				
First:	32	53	5	22	1	323	4	do.	June 15, 1898	July 16, 1898	July 17, 1899	Aug. 16, 1899
Second:												
Third:												
Connecticut Volunteer Infantry:												
First:	3	6	5	18	3	35						
Second:	8	9	11	15	51	186						
Third:												
Connecticut Volunteer Artillery:												
Light Battery A:	1	5	8			15						
Heavy Battery B:	1	2	25		1	29						
Heavy Battery C:	1	2	2	4	3	12						
District of Columbia Volunteer Infantry:												
First:	32	8	65	22		127		Cuba	July 6, 1898	July 9, 1898	Aug. 23, 1898	Aug. 28, 1898
Delaware Volunteer Infantry:												
First:	2	8	74	8	46	141						
Do:												
Florida Volunteer Infantry:												
First:	24	31	1	27	2	161						
Do:												

¹ Colored troops. ² Company H sailed to Porto Rico July 15, 1898; arrived July 25, 1898; sailed from Porto Rico Sept. 8, 1898; arrived in New York Sept. 16, 1898.

³ Companies C, D, E, F, H, I, K, L. ⁴ Companies A, B, G, M. ⁵ Companies A, C, E, H, I, K, L, M. ⁶ Companies B, D, F, G.

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Losses while in service.												Memoranda.								
Organization.	Enlisted men.											Wound- ed.	Service beyond the United States.							
	Discharged.		Died.						Total.	Officers.	Enlisted men.		Place.	Date.						
			Transferred.	Disability.	By sentence of general court- martial.	By order.	Killed in action.	Of wounds received in action.								Of disease, etc.	Accident.	Drowned.	Suicide.	Murdered or homicide.

Sixth.....	21	11	4	22	1	60	Porto Rico.....	July 10, 1898	July 25, 1898	Sept. 7, 1898	Sept. 13, 1898
Seventh.....	53	13	13	2	6	79	Cuba.....	Aug. 11, 1898	Aug. 16, 1898	Mar. 10, 1899	Mar. 15, 1899
Eighth.....	27	27	2	16	1	64	do.....	Jan. 3, 1899	Jan. 5, 1899	Apr. 16, 1899	Apr. 21, 1899
Ninth.....	31	46	113	27	4	224					
Illinois Volunteer Cavalry:											
First.....	14	11	11	16	6	60					
Illinois Light Artillery:											
Battery A.....		3	3	2	9		Porto Rico.....	July 28, 1898	Aug. 4, 1898	Sept. 7, 1898	Sept. 13, 1898
Indiana Volunteer Infantry:											
One hundred and fifty-seventh.....	10	5	5	16	3	35					
One hundred and fifty-eighth.....	33	18	7	10	3	71					
One hundred and fifty-ninth.....	36	12	11	10	8	77					
One hundred and sixtieth.....	69	59	117	-	15	272	Cuba.....	Jan. 8, 1899	Jan. 10, 1899	Mar. 28, 1899	Mar. 29, 1899
One hundred and sixty-first.....	73	30	131	18	5	258	do.....	Dec. 13, 1898	Dec. 15, 1898	Mar. 28, 1899	Mar. 31, 1899
First I (Companies A and B).			1	-	11	13					
Indiana Volunteer Batteries:											
Twenty-seventh.....	2	2	2	-	5		Porto Rico.....	July 28, 1898	Aug. 4, 1898	Sept. 8, 1898	Sept. 15, 1898
Twenty-eighth.....					3						
Iowa Volunteer Infantry:											
Forty-ninth.....	10	11	255	52	2	331	Cuba.....	Dec. 19, 1898	Dec. 22, 1898	Apr. 5, 1899	Apr. 11, 1899
Fiftieth.....	34	10	21	32	2	99					
Fifty-first.....	61	89	362	39	1	553	Philippine Islands.....	Nov. 3, 1898	Dec. 7, 1898	Sept. 22, 1899	Oct. 22, 1899
Fifty-second.....	28	10	4	35	1	78					
Iowa Volunteer Batteries:											
Fifth.....											
Sixth.....											
Kansas Volunteer Infantry:											
Twentieth.....	80	145	346	19	4	644	Philippine Islands.....	Oct. 27, 1898	Nov. 30, 1898	Sept. 3, 1899	Oct. 10, 1899
Twenty-first.....	35	12	22	20	19	108					
Twenty-second.....	14	15	10	12	5	58					
Twenty-third.....		5	7	11	28		Cuba.....	Aug. 25, 1898	Aug. 31, 1898	Mar. 1, 1899	Mar. 5, 1899

Colored.

Maine Volunteer Artillery: Batteries A, B, C, and D.	14	6	22	10	16	68	Cuba.....	Jan. 17, 1899	Jan. 20, 1899	Mar. 9, 1899	Mar. 11, 1899
Maryland Volunteer Infantry:											
First.....	13	32	6	12	1	237					
Fifth.....	15	8	15	19	3	61					
Massachusetts Volunteer Infantry:											
First.....	1		4	86		99	3	June 14, 1898	June 22, 1898	Aug. 21, 1898	Aug. 25, 1898
Second.....			59	13	15	115		July 8, 1898	July 25, 1898	Oct. 21, 1898	Oct. 27, 1898
Fifth.....	75	4	4	30		108	3	Puerto Rico.	Jan. 10, 1899	Apr. 4, 1899	Apr. 9, 1899
Sixth.....	25	54	72	25	15	197		Cuba.....	June 1, 1898	Aug. 26, 1898	Sept. 4, 1898
Eighth.....	8	2	8	110	1	130	3	do.	July 1, 1898		
Ninth.....											
Massachusetts Volunteer Artillery:											
First.....	2	7	33			43					
Michigan Volunteer Infantry:											
Thirty-first.....	20	25	4	20		403		Jan. 27, 1899	Feb. 1, 1899	Apr. 13, 1899	Apr. 16, 1899
Thirty-second.....	42	16	19	20		99					
Thirty-third.....	21	13	5	57	2	190		June 23, 1898	June 27, 1898	Aug. 21, 1898	Aug. 26, 1898
Thirty-fourth.....	45		7	79	1	134	10	Cuba.....	June 30, 1898	Aug. 17, 1898	Aug. 23, 1898
Thirty-fifth.....	32	38	79	24	15	188		do.			
Minnesota Volunteer Infantry:											
First.....	24	10	12	18	5	70					
Second.....	28	45	2	33	2	355	6	Philippine Is-	July 31, 1898	Aug. 11, 1899	Sept. 7, 1899
Thirteenth.....								lands.			
Fourteenth.....	26	12	56	9	3	108					
Fifteenth.....	12	47	67	20	9	158					
Mississippi Volunteer Infantry:											
First.....	13	14	24	29	28	110					
Second.....	35		45	20	9	111					
Third.....	20	12	46	7	35	120					
Missouri Volunteer Infantry:											
First.....	49	29	37	13	9	142					
Second.....	27	28	104	16	44	221					
Third.....	30	21	12	13	7	84					
Fourth.....	29	43	66	23	33	195					
Fifth.....	39	27	16	23	17	115					
Sixth.....	21	32	228	23	24	330					
Missouri Light Artillery:											
Battery A.....	4		7	3	1	18		Dec. 21, 1898	Dec. 24, 1898	Apr. 9, 1899	Apr. 11, 1899
								July 28, 1898	Aug. 4, 1898	Sept. 8, 1898	Sept. 15, 1898

INCREASE OF MILITARY ESTABLISHMENT.

[illegible]

1 Colored,

Oregon Volunteer Infantry: Second.....	45	34	135	13	38	1		3	272	5	69	Philippine Islands.	May 25, 1898	June 30, 1898	June 14, 1899	July 12, 1899
Oregon Volunteer Light Artillery: Battery A.....		2							2							
Battery B.....																
Pennsylvania Volunteer Infantry: First.....	28	7	71		11	1		8	127							
Second.....	2	18	652		12	2		12	688							
Third.....	26	9	53		12	1		5	106							
Fourth.....	11	3	4		32			50	50			Porto Rico.	July 27, 1898	Aug. 2, 1898	Sept. 1, 1898	Sept. 6, 1898
Fifth.....	17		11		16	1	1	1	47							
Sixth.....	67	10	19		8			4	108							
Eighth.....	11	27	74		9			4	125							
Ninth.....	31	6	16		24			4	77							
Tenth.....	21	20	93	12	3	6		156	7	61		Philippine Islands.	June 15, 1898	July 17, 1898	July 1, 1899	Aug. 1, 1899
Twelfth.....	8	5	2		20			3	38							
Thirteenth.....	33	13	18		21			10	99							
Fourteenth.....	5	8	148		2	1		8	173							
Fifteenth.....	13	21	123		4	2		4	167			Porto Rico	July 22, 1898	July 28, 1898	Oct. 10, 1898	Oct. 17, 1898
Sixteenth.....	12	4	11		38			3	69	6						
Eighteenth.....	3	10	4		1			2	20							
Pennsylvania Volunteer Cavalry: Philadelphia City Troop.....		1	20		1				22			Porto Rico.	July 28, 1898	Aug. 2, 1898	Sept. 3, 1898	Sept. 10, 1898
Governor's Troop.....		2							3			do.	Aug. 5, 1898	Aug. 10, 1898	do.	do.
Sheridan's Troop.....			1		1				1			do.	do.	do.	Sept. 8, 1898	Sept. 15, 1898
Pennsylvania Volunteer Artillery: Light Battery A.....			14		4				18			do.	do.	do.	Sept. 3, 1898	Sept. 10, 1898
Light Battery B.....		1	1		1				3			do.	do.	do.	Sept. 6, 1898	Sept. 15, 1898
Light Battery C.....			2		4				6			do.	do.	do.	do.	do.
Rhode Island Volunteer Infantry: First.....	78	35	100		11	1		89	327							
Rhode Island Volunteer Artillery: Light Batteries A and B.....																
South Carolina Volunteer Infantry: First.....	35	12	66		18			35	166			Cuba.	Jan. 3, 1899	Jan. 6, 1899	Mar. 26, 1899	Mar. 28, 1899
Second.....	14	22	114		19			51	223							
South Carolina Volunteer Artillery: Heavy Battery.....		11	26		1			8	48							

INCREASE OF MILITARY ESTABLISHMENT.

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[illegible]

Company F sailed from Savannah, Ga., Dec. 13, 1898. Arrived at Habana Dec. 15, 1898.

3 Colored troops.

STATISTICAL EXHIBIT OF STRENGTH OF VOLUNTEER FORCES CALLED INTO SERVICE DURING THE WAR WITH SPAIN;
WITH LOSSES FROM ALL CAUSES—Continued.

Organization.	Losses while in service.										Memoranda.			
	Enlisted men.										Service beyond the United States.			
	Died.										Date.			
	Discharged.		Of wounds received in action.		Of disease, etc.		Accident.		Drowned.		Suicide.		Murdered or homicide.	
Transferred.	By sentence of general court-martial.		By order.		Killed in action.		Of wounds received in action.		Accident.		Drowned.		Suicide.	
	Disability.													
U. S. Volunteer Engineers:	Total.		Deserted.		Total.		Officers.		Enlisted men.		Where.		Arrival in foreign country.	
	Returned to the United States.		Leaving foreign country.		Leaving the United States.		Place.		Date.		Date.		Date.	
	Returned to the United States.		Leaving foreign country.		Leaving the United States.		Place.		Date.		Date.		Date.	
First.....	15	2	55	17	12	4	93	7	97	Porto Rico.....	Aug. 10, 1898	Nov. 17, 1898	Nov. 24, 1898	Nov. 24, 1898
Second.....	49	351	351	12	1	22	444	4	531	Cuba.....	Nov. 23, 1898	Apr. 15, 1899	Apr. 17, 1899	Apr. 17, 1899
Third.....	34	414	414	10		29	513		223	Hawaiian Is- lands.....	Aug. 10, 1898	Apr. 20, 1899	Apr. 28, 1899	Apr. 28, 1899
U. S. Volunteer Cavalry:										Cuba.....	Feb. 4, 1899	Apr. 15, 1899	Apr. 17, 1899	Apr. 17, 1899
First.....	9	31	31	19	21	12	95	7	97	do.....	Feb. 17, 1899	Apr. 15, 1899	Do.	Do.
Second.....	70	338	338	16	6	4	604	4	532	do.....	Dec. 20, 1898	Apr. 14, 1899	Do.	Do.
Third.....	22	2	2	9			32			do.....	June 22, 1898	Aug. 8, 1898	Aug. 14, 1898	Aug. 14, 1898
U. S. Volunteer Infantry:										do.....	June 22, 1898	Aug. 8, 1898	Aug. 14, 1898	Aug. 14, 1898
First.....	2	19	19	3	21	12	95	7	97	Cuba.....	July 28, 1898	Aug. 5, 1898	May 26, 1899	May 26, 1899
Second.....	26	1	225	37	11	16	46	4	531	do.....	Aug. 13, 1898	Aug. 17, 1898	Mar. 30, 1899	Mar. 30, 1899
Third.....	71	2	93	39	1	0	223	4	532	do.....	Oct. 12, 1898	Oct. 18, 1898	May 11, 1899	May 11, 1899
Fourth.....	50	7	167	9	2	31	308	3	308	do.....	Aug. 8, 1898	Aug. 12, 1898	May 2, 1899	May 2, 1899
Fifth.....	49	3	185	34	1	30	419	4	419	do.....	Aug. 8, 1898	Aug. 12, 1898	May 2, 1899	May 2, 1899

	2	16	2	40	13	...	...	48	122	Porto Rico...	Oct. 10, 1898	Oct. 15, 1898	Feb. 12, 1899	Feb. 18, 1899
Sixth.....	7	18	1	22	16	...	...	11	88	...	...	...	...	...
Seventh.....	9	24	13	121	3	...	3	12	194	...	...	...	...	...
Eighth.....	44	12	...	36	73	1	1	12	178	...	...	...	...	...
Ninth.....	5	33	2	19	14	1	...	25	101	Cuba...	Aug. 17, 1898	Aug. 22, 1898	Apr. 26, 1899	Apr. 30, 1899
Tenth.....	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Territorial Volunteer Infantry:														
First.....	26	22	...	64	6	...	...	29	147	...	...	...	...	...
Total.....	6,104	4,544	265	18,554	190 78	3,729	97	21 11 30	3,069 36,692 90	1,189	...	...	...	...

* A, B, C, and H.

* A, B, C, and K.

* D, I, L, and M.

* Headquarters, A, B, D, E, F, G, K, and L.

* Colored troops.

Table showing strength of Volunteer forces called into service of the United States during the War with Spain, with losses from all causes, etc., as shown by muster-out rolls—Continued.

RECAPITULATION BY STATES, ETC.

Strength at muster in.		Strength at muster out.		Total number accounted for on muster-out roll.		Losses while in service.									
Offi- cers.		Men.		Men.		Officers.					Enlisted men.				
						Died.					Died.				
						Killed in action.					Killed in action.				
						Of wounds.					Of wounds received in action.				
						Disease, etc.					Of disease, etc.				
						Accident.					Accident.				
						Drowned.					Drowned.				
						Suicide.					Suicide.				
						Murdered.					Murdered or homicide.				
						Total.					Total.				
						Transferred.					Transferred.				
						Disability.					Disability.				
						By sentence of general court-martial.					By order.				
						Promoted or transferred.					Promoted or transferred.				
						Resigned or discharged.					Resigned or discharged.				
						Dismissed.					Dismissed.				
						Total.					Total.				
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Maryland.....	911	1,979	98	2,299	114	2,597	...	15	...	1	...	16	28	40	7	135	...	31	1	...	59	238		
Massachusetts.....	277	5,515	274	6,100	321	6,792	2	37	...	1	...	47	111	95	1	180	...	258	4	...	31	492		
Michigan.....	233	5,185	231	5,655	262	6,179	...	26	...	5	...	31	160	93	4	426	...	200	1	...	36	624		
Minnesota.....	196	4,222	196	4,462	229	5,151	...	30	...	1	...	33	90	114	5	371	...	2	50	...	39	659		
Mississippi.....	108	2,512	115	2,695	125	3,030	...	8	...	2	...	10	68	28	1	115	...	56	1	...	72	341		
Missouri.....	271	6,224	278	6,978	327	8,083	1	45	...	1	...	49	198	184	3	472	...	107	6	...	135	1,105		
Montana.....	48	976	48	673	78	1,054	...	28	1	1	...	30	71	29	4	232	...	14	2	...	10	381		
Nebraska.....	137	3,232	138	2,938	200	3,846	23	36	1	2	...	64	35	78	3	667	...	84	1	...	10	378		
Nevada.....	15	481	16	327	17	505	...	1	...	1	...	13	14	6	...	106	...	4	...	...	13	178
New Hampshire.....	47	952	47	1,234	60	1,309	...	10	...	3	...	13	14	6	...	13	...	1	...	...	13	708
New Jersey.....	184	4,163	193	4,522	237	5,264	...	44	...	...	...	44	73	81	10	458	...	28	1	...	80	742
New York.....	705	15,924	717	17,238	927	19,937	29	171	...	10	...	210	290	310	20	1,148	...	380	15	...	514	2,999		
North Carolina.....	145	2,840	139	3,263	164	3,802	1	23	...	1	...	25	25	182	8	184	...	59	1	...	7	539		
North Dakota.....	27	658	31	507	48	671	...	...	...	...	...	17	23	18	9	105	...	9	1	...	1	164
Ohio.....	485	9,557	508	12,407	573	13,682	10	47	...	8	...	95	252	186	5	534	...	219	4	...	73	1,275		
Oregon.....	56	1,182	50	1,234	62	1,508	...	12	...	...	...	12	45	38	1	275	...	38	1	...	274	381
Pennsylvania.....	619	11,696	614	14,636	709	16,739	3	82	...	10	...	95	288	165	9	1,338	...	12	4	...	64	2,103		
Rhode Island.....	54	1,170	51	1,251	76	1,578	7	18	...	...	...	25	49	35	13	206	...	11	1	...	89	327
South Carolina.....	90	2,060	99	2,077	104	2,514	...	4	...	1	...	5	78	45	4	206	...	38	1	...	94	437		
South Dakota.....	46	983	46	622	62	1,004	...	20	...	3	...	24	58	59	6	255	...	20	4	...	4	442		
Texas.....	187	4,148	183	3,963	235	6,031	9	40	...	3	...	52	808	186	8	708	...	71	4	...	249	2,038		
Tennessee.....	231	5,529	230	4,824	259	6,505	1	27	...	1	...	29	168	235	6	1,114	...	57	3	...	198	1,882		
Utah.....	15	454	16	443	23	555	...	7	...	...	...	69	6	2	...	69	...	6	...	...	112	112
Vermont.....	48	980	49	925	52	992	...	2	...	1	...	30	...	...	...	9	...	26	...	...	2	67
Virginia.....	164	3,709	166	4,249	194	5,029	5	21	...	2	...	28	112	101	8	461	...	64	1	...	30	780		
Washington.....	60	1,379	60	1,180	87	1,767	...	25	...	1	...	27	87	81	2	345	...	17	8	...	28	587		
West Virginia.....	88	2,245	92	2,196	110	2,584	...	17	...	1	...	18	67	34	3	169	...	31	3	...	81	388		
Wisconsin.....	198	4,293	195	4,563	211	5,242	1	11	...	2	...	16	118	21	13	91	...	126	...	...	16	379
Wyoming.....	17	446	17	296	23	453	...	5	...	...	...	6	17	18	5	86	...	2	...	...	18	157
United States Volunteers.....	763	16,992	780	14,499	1,003	18,717	53	155	3	2	...	223	770	532	38	2,192	...	330	17	2	7	306		
Total.....	8,970	173,717	8,299	183,521	10,668	220,213	196	2,015	8	1	3	2,369	6,104	4,544	265	18,554	190	78	3,729	97	21	11	30,3,069	35,692

¹ On the lines of the general officers and staff corps, in the column under the heading "Strength at muster in," the total number appointed or enlisted is shown, and in the column under the heading "Strength at muster out," the number remaining in service Nov. 30, 1899, is stated.

² From this total should be deducted the number of officers and enlisted men, accounted for under the headings "Promoted" or "Transferred," as they were promoted or transferred in their own regiments, or to other organizations in the Volunteer service, therefore, being no loss. Also 453 officers of the Regular Army who held commissions in the Volunteer regiments.

3. From this total should be deducted 891. This number having been appointed to be commissioned officers, and so accounted for.

⁴ Includes 4 Regular Army officers holding Volunteer commissions.

The total number, therefore, furnished was—

Officers.....

Enlisted men.

Total.

ADJUTANT GENERAL'S OFFICE,
Washington, D. C., December 13, 1899.

H. C. CORBIN,
Adjutant General, United States Army.

WAR DEPARTMENT,
Washington, April 15, 1917.

The CHAIRMAN, COMMITTEE ON MILITARY AFFAIRS,
House of Representatives.

SIR: A request was made by the committee during my recent hearing to have inserted in the record a summary of the number of places the draft of a bill submitted by the War Department provided for individual voluntary enlistments. The summary given below is furnished in compliance with that request. The numbers given refer to the Army only, of course, and do not take into consideration the outlet for voluntary enlistments for the Navy and Marine Corps, which forces are to rely entirely on voluntary enlistments.

Authorized strength of Regular Army, all increments included, exclusive of Philippine Scouts-----	298, 000
Present strength-----	131, 481
Available for voluntary enlistments-----	161, 519
War strength of National Guard organizations now existing--	329, 954
Present actual strength-----	123, 605
Available for voluntary enlistments-----	206, 349
Needed to raise existing units of the National Guard to war strength and the Regular Army, with all increments added, to war strength-----	367, 868

The bill provides that a training cadre may be transferred from these two forces to train the additional forces. The War College Division recommends as a minimum cadre for training a force of 500,000 men in time of peace 148,850 men, and this would add that number of places for voluntary enlistments in the Regular Army and National Guard when this training cadre was taken for the first additional force of 500,000 men.

The law as drafted and construed by the Judge Advocate General before your committee would permit recruit-training units for the Regular Army and National Guard to be maintained by voluntary recruiting. The minimum strength of such recruit-training units would approximate one-third the strength of the units to which they would supply losses, or give a total strength of recruit-training units for the Regular Army of approximately 98,000 men and 110,000 for existing units of the National Guard, or a total number of volunteers in the recruit-training units of 208,000 men.

The bill further provides that special and technical troops may be raised by voluntary or compulsory methods. If these be raised by the volunteer system, it would add to the total number given above for voluntary enlistments, but as the number can not now be definitely determined they are omitted.

SUMMARY.

Numbers that may be filled by voluntary enlistments under War Department plan.

Units of the Regular Army-----	161, 519
Units of the National Guard-----	206, 349
First training cadre-----	148, 850
Recruit-training units for existing National Guard-----	110, 000
Recruit-training units for the Regular Army-----	98, 000

724, 718

Respectfully,

NEWTON D. BAKER,
Secretary of War.

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INCREASE OF MILITARY ESTABLISHMENT

HEARINGS

BEFORE THE

COMMITTEE ON MILITARY AFFAIRS

HOUSE OF REPRESENTATIVES

SIXTY-FIFTH CONGRESS

FIRST SESSION

ON

THE BILL AUTHORIZING THE PRESIDENT TO INCREASE
TEMPORARILY THE MILITARY ESTABLISH-
MENT OF THE UNITED STATES

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APRIL 17, 1917

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WASHINGTON
GOVERNMENT PRINTING OFFICE
1917

COMMITTEE ON MILITARY AFFAIRS.

HOUSE OF REPRESENTATIVES.

SIXTY-FIFTH CONGRESS.

S. HUBERT DENT, JR., Alabama, *Chairman*.

WILLIAM J. FIELDS, Kentucky.

PERCY E. QUIN, Mississippi.

WILLIAM GORDON, Ohio.

A. C. SHALLENBERGER, Nebraska.

CHARLES POPE CALDWELL, New York.

JAMES W. WISE, Georgia.

RICHARD OLNEY, Massachusetts.

SAMUEL J. NICHOLLS, South Carolina.

T. W. HARRISON, Virginia.

DANIEL E. GARRETT, Texas.

GEORGE B. LUNN, New York.

JULIUS KAHN, California.

DANIEL R. ANTHONY, JR., Kansas.

JOHN C. MCKENZIE, Illinois.

FRANK L. GREENE, Vermont.

JOHN M. MORIN, Pennsylvania.

JOHN Q. TILSON, Connecticut.

THOMAS S. CRANFORD, Pennsylvania.

HARRY E. HART, Iowa.

JAMES H. DUNN, Wisconsin.

J. KUHIO KALANIANA'OLE, Hawaii.

INCREASE OF MILITARY ESTABLISHMENT.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Tuesday, April 17, 1917.

The committee met in confidential and executive session at 11 o'clock a. m., Hon. S. Hubert Dent, jr. (chairman), presiding.
(The following letter from the Secretary of War was read:)

WAR DEPARTMENT,
Washington, April 17, 1917.

MY DEAR MR. DENT: I do not know how accurate the account in this morning's Post may be as to the present opinion of the House Committee on Military Affairs, but I think I ought to ask you to read this letter to the committee, as I have a deep conviction that any compromise of the principles governing the bill submitted by the department for the raising of a new Army would be attended by unfortunate results.

The bill as drawn preserves so much of the volunteer spirit as can be preserved without embarking on the experiment of a mixed system of draft and volunteering. It makes place for several hundred thousand men above the age of 25 who may be moved to volunteer, and by equalizing the terms and condition of service in the Regular Army, National Guard, and additional forces gives such volunteers entire equality with all others in the national forces.

The drafting provision starts at the outset a process by which the forces of the country can be called as they shall be needed according to an equal and just system, and it has these merits:

1. It spreads the burden of military preparation equally throughout the United States.

2. It is certain in its operation, so that after the registration is made every man in the country will know whether he is to be called and when he is to be called upon, allowing those who are not to be called or whose call is postponed to continue their normal pursuits undisturbed by uncertainty as to their duty and unagitated by neighborhood pressure or misunderstanding.

3. It starts at the beginning of the accumulation of these new forces and has none of the character of a penalty which attaches to the draft when it is used after volunteering has been tried and failed.

I have studied every report I can secure of the use of the volunteer system abroad and in our own country, and I believe it to be true that in every place where it has been tried, whatever success it has had has been due to a system of compulsion more harassing and almost as drastic as the provisions of a law itself. Old men and young and old women have united to urge young men to volunteer, appealing to local and State pride, and have enforced their appeal by social ostracisms, by pinning yellow ribbons on the coats of young men, and by epithets and outcries which have finally driven the reluctant into the ranks and humiliated both the ready and the reluctant by the methods used.

Such objection as there has been to the draft has, in nearly all cases, been due to the fact that it came as an exercise of the superior power of the Government after a fruitless appeal to the volunteer spirit.

In the countries of Europe where the volunteer system has obtained, those responsible for it were excused because they could not have foreseen at the beginning the results, but we have their experience to guide us, and I believe that those responsible in this country for repeating the costly errors which have been made abroad will not be able to make that explanation.

I beg, Mr. Chairman, that you and your associates will realize that I am deeply in earnest in this matter. With the greatest deference to the rights and independence of judgment of your committee and the House, I still feel obliged

as Secretary of War, and therefore your responsible adviser on this subject, to urge the passage of the bill as drawn. This is the greatest war in the history of the world. Our participation in it is as yet undetermined in many of its modes and wholly as to its duration and extent, but we are called upon to inaugurate a system which, in any event or contingency, will place our country in a situation where it can contribute the trained men and the means necessary to bring this war to a conclusion which will mean a vindication of the principles upon which we entered it. We must therefore prepare to array the Nation, not by haphazard means, and (if I may say so without offense) not by volunteering, either of persons or of property, but by an ordered, systematic devotion of every man and every resource of our Nation to the task, and this can be done only by placing upon the statute books of the Nation a system which assigns to our people each his part according to his strength, and which leads them to forego, in the interest of the common cause, all pride as to method and preference as to service, allowing the organized agencies of our democratic Government to judge where each can best serve his country.

In conclusion, I beg to assure you that I have no alarm on the subject of militarism in America, and particularly no alarm of any such consequence from the pending measure, temporary as it is, and designed for this emergency. Militarism is a philosophy; it is the designation given to a selfish or ambitious political system which uses arms as a means of accomplishing its objects. The mobilization and arming of a democracy in defense of the principles upon which it is founded, and in vindication of the common rights of men in the world, is an entirely different thing, and both the people of the United States and the people of the world will be inspired to see that we are brave enough and farsighted enough to lay our peace-time preferences aside in the interest of that form of common effort which will most certainly and most speedily accomplish our national purpose.

If the members of your committee, prior to a final decision, will permit me, it will give me great pleasure to appear before them again and to urge more at large the convictions which I have here sought to press upon their attention.

Respectfully, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. S. H. DENT, Jr.,
*Chairman Committee on Military Affairs,
House of Representatives.*

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR.

The CHAIRMAN. Mr. Secretary, I received your letter this morning and have read it to the committee and the committee unanimously agreed to invite you to appear again before us in connection with the subject of the adoption of the bill as prepared in your department.

Secretary BAKER. Mr. Chairman, before commenting on that subject I would like to say that President Eliot, the president emeritus of Harvard University, is very anxious to appear before your committee and the Senate committee. When the request came to me it was that I should request you to allow him to appear. I said to whoever brought the request to me that as I understood it the committee had not opened up its hearings to any witnesses other than the department witnesses, and that you were not hearing a general discussion of the subject which he desired to discuss which, as I understand it, is the Swiss military system.

The CHAIRMAN. The Swiss military system?

Secretary BAKER. I understand so from what he has written me in other connections and what he has printed within the last few weeks. But that I would be very glad to find out what your pleasure in the matter was. He is not here. He is in Boston; but, as I understand it, if your committee and the Senate committee would

hear him on that subject, he would like to appear before you and be heard.

The CHAIRMAN. This is the situation, Mr. Secretary, at the present time. We have had some additional hearings, other than those of yourself and the department representatives, of people who are opposed to the draft system. Saturday we heard a number of people who were opposed to the draft system, inasmuch as we thought that both sides to the controversy ought to be given an opportunity to be heard, but we agreed that the hearings should be closed as early as possible, so that we could begin the preparation of some form of bill, and therefore the committee voted to close the hearings last Saturday.

Secretary BAKER. I am so extremely anxious to have the committee report the bill that it is going to report and get action that I should not feel justified in asking you to delay a minute to hear anybody.

The CHAIRMAN. That was the disposition of the committee. They thought the early action was one of the matters of first importance.

Secretary BAKER. Very much more important than hearing anybody or everybody, as it seems to me.

Now, Mr. Chairman, if I may turn rather abruptly to the situation which I referred to in my letter this morning, I am in the fortunate position of not knowing, except as I may have gathered from the things that were said here, the views of the members of the committee; and so I am basing what I have to say on no assumptions with regard to the committee's attitude. But we have a joint responsibility and a joint accountability. Whatever system of raising these armies is the outcome of this legislation is going to be in part your responsibility and in part mine, and I want to be very sure that the committee are in no doubt about what my views on the subject are. I say that with the greatest deference to the right and the duty of Members of Congress to exercise their own judgment when fully informed; but I think it would be a most unhappy situation if after you have acted there should be any doubt as to what the War Department, as represented by the Secretary, actually thought; and so I am glad to have this chance to make just as explicit a statement as I can make on that subject.

I need not go into any history of my own opinions or the growth of my own information on the subject because I think that is relatively immaterial. We are all in a situation where the art of war and the size and character of war have undergone a revolution in our sight. We have just seen the whole thing changed to such an extent that almost no analogies and no historic preconceptions are serviceable any longer. Of course, if the hope of the most optimistic people in this country materialized, and the forces we are proposing to train simply became trained forces at large in the Nation with the war closed, as some people think it is showing signs of closing, before we could actively participate in it, then I should not feel now any such spur of urgency as I feel this morning; but we can not count on this war closing. This war was impossible before it began. It could not last a year until it had lasted one year. It could not last three years. The first man who said it would last three years was deemed an alarmist, an eccentric, and a militarist, and yet it is going to last three years obviously. The Napoleonic wars were impossible. They

could not last a year, and yet they lasted 17 years or some such number. We, I think, can not justify taking action which is addressed to a situation as temporary as the most optimistic views of our outlook would seem to take.

We are going to have to mobilize the whole Nation, not merely its fighting strength in the old sense of the word, but its industrial strength. You saw in this morning's newspapers that the packing houses in Chicago, the entire packing business, estimated in the newspapers to be worth \$1,000,000,000, are through their owners and representatives asking the Government to take charge of their entire establishment and plant and manage and operate and fix the prices and the profits and generally take it all over. The extent to which all the industrial resources of this Nation, its mineral wealth, its raw material sources, and its manufacturing processes are being articulated into the Government system are quite beyond the dreams of anybody until this war began.

Now, we are proposing to raise an army. It is perfectly obvious that that army can not be raised in five minutes. It can not be raised by passing a bill, and one of the difficulties we are going to have to face is that as soon as the Congress has passed a bill and the President has signed it the people of the United States—some of them—will imagine that there ought to be an army the next day. Well, there will not be. It will take some months before any large number of people can be assembled in one place and months again before the full force assembled can be called out. There will be a very great deal of uncertainty in the country. I can illustrate that by a single instance. A man from Cleveland came to my house on Sunday and said: "What I want to know is, when am I going to be needed? I do not know whether to arrange for my school-teachers next year and plan to go on with my school or not. If I knew I was wanted now, I would break up my school. If I knew I was wanted the first of next year, I would make my arrangements on that basis." Throughout the entire United States at the present moment every thinking man wants to do something different from what he has been doing and wants to do the thing that will contribute most to the common interest, and wants certainty in his relations between his business and his Government. We may have to call out millions of men. This bill contemplates 500,000 as the first result of the draft. We may have to call out 5,000,000 men. I do not know, and you can not know with any certainty, and I therefore am persuaded that instead of repeating the mistakes which European countries have made and other countries have made—which all admit to be mistakes, we ought to lay down a scheme which is as orderly and precise as the movements of a piece of mechanism and which whenever we need to call additional forces will automatically respond as soon as the decision is made as to the size of the force to be called.

I do not want to reargue to you the difficulties of the volunteer system, but I think every observer who has seen the volunteer system at work agrees with the expression of opinion that you will find, perhaps more clearly, in the New Republic of this week, in an article signed by Prof. Fish, a professor of history in Wisconsin, I am told, called "Raising armies." He started out as a believer in the

volunteer system, and after having examined the whole history of it he comes to the conclusion that it is unscientific, costly, unfair, undemocratic, and that it is a very grave error for a nation embarking in war under modern conditions to rely upon such a system. The difficulties, I think, are chiefly that the word "volunteer" sounds voluntary, while the word "draft" sounds compulsory, and we assume that the volunteer system is voluntary and that the draft system is compulsory, and on that misconception, as I think, we align ourselves by a prejudice growing out of the sound of words. There never has been a voluntary system which raised any number of men which did not have the most cruel attachments. I think anybody who has been in England during this war, anybody who has been in Canada during this war, will bear me out when I say that the lagging and fretting which has gone on in order to raise volunteers has been more cruel than any compulsory system could be, and I think authorities everywhere agree that if England could now choose how she would start she would not follow the course she did start with, but would have introduced at the beginning the system and method of drafting and assorting her citizens for this task.

I recognize the virtue and the morality of the volunteer spirit, and I think a man is a better man who has weighed the value of his country and its institutions to him and decided untroubled by outside influence that they are good enough to die for; but I think a man is a worse man who has weighed that question and decided that his country and its institutions are not good enough to die for; and I think a man who is whipped into the lines by having yellow ribbons pinned on his clothes and by being teased and assailed by shrill voices on every hand goes in to defend his country merely to escape annoyance.

Mr. TILSON. Mr. Secretary, would you give your attention for a moment to this side of the question, which, I think, perhaps annoys some of the members of the committee, although it does not annoy me personally so much, and yet I think it is the strongest point, if there is any point, against your method of raising troops, and that is the question of its effect upon public sentiment and the people themselves and whether there is not something to be said in accepting a system that is known to be bad, that is known to be inefficient, and known to be inadequate rather than create the effect which might be created by a very unpopular measure. Now, I should like to hear from you on that question.

Secretary BAKER. I am very glad to have you refer to that, because this is a democracy, and the people of this country are entitled to have what they want, and it is your duty and mine to give them what they want. Now, that does not mean either that we have any way of tabulating their opinion or pleasing an uninformed judgment, but you all know America, and what America wants is to be efficient at this moment. Now, if you pass such a measure as is here provided and send it out to the country as the expression of your judgment that this task is so large and we must prepare for it so seriously as to establish this orderly system that will automatically develop larger and larger forces, the people of this country will accept your judgment on that subject. It may be somewhat shocking to them to find that you regard this as so serious a task, but they will

instantly realize that it is a grave task, and it will have a sobering effect upon the judgment of the country. It may be unpopular when you first pass it, but it will not be a tithe as unpopular as a system which will arouse every community to a frenzy and set neighbor against neighbor and friend against friend; and while this measure may have a certain amount of unpopularity on the day of its passage, the volunteer system will have a tenfold unpopularity just as soon as it begins to get out its whips and to stir neighborhood sentiment into a torrent.

MR. CALDWELL. Mr. Secretary, if we were to adopt a plan that would make the bill popular and at the same time would prevent the use of these unfortunate methods to get men to go into the Army, then both of your objections would be met.

Secretary BAKER. It can not be done, Mr. Caldwell.

MR. CALDWELL. That is for us, excuse me. Why can it not be done?

Secretary BAKER. There is no way——

MR. CALDWELL (interposing). But suppose we adopted a provision that until you get your machinery for drafting in order so that you could actually draft, between the time of the passage of the bill and the time your machinery is perfected, men who want to volunteer may volunteer in either one of these branches, then you have not any of the hardships you have mentioned, and we have a willing army, and the proposition is popular.

Secretary BAKER. You mean as between the Regular Army and the National Guard?

MR. CALDWELL. No; all three.

Secretary BAKER. That they can volunteer into any one of the three?

MR. CALDWELL. Yes; up to the date when the conscription method is perfected.

Secretary BAKER. Of course, there are certain mechanical difficulties about that to start with. I do not know that the same sentimental objection obtains as to that, but there are certain mechanical difficulties. Whatever you do, you must not write a bill which will turn up by any process at the doors of the Government suddenly 1,000,000 men. We can not manage 1,000,000 men suddenly, and the bill which you do draw must leave it to executive discretion—not uninformed discretion, but informed executive discretion, as to when and how fast these men are to be called out. There can be no question about that. If there were 1,000,000 men in Washington now or in different parts of the country who were enlisted and ready to be mobilized and formed into troops, it would be a helpless mob and we would be helpless to take care of them.

The CHAIRMAN. I would suggest, Mr. Caldwell, if you will permit me, that we allow the Secretary to finish his statement.

Secretary BAKER. I am substantially through, Mr. Chairman, but I want to close with one sentence, and Mr. Caldwell has illustrated the need of my saying it. He has suggested that there are other ways, that there are devices and processes which may reconcile some of the views which I have expressed with the views which the members of the committee may have. There may be such ways. I have thought about it as earnestly as I could think about it, and I want to be fair with you by saying that after all the thought I have given

it, with the hours of cross-examination which I have had here and in the Senate committee and with all the reading and thinking I can do on the subject, my deliberate judgment is that this measure as proposed here will ultimately be more popular and will from the beginning be more efficient; and it will both show our people the gravity and seriousness of this task and show our friends on the other side and our enemies on the other side the earnestness with which we intend to participate in this trouble, and that it is the best expression of America in this war that we can possibly devise.

The CHAIRMAN. Mr. Secretary, what have you to say to this suggestion, which has some considerable support both in the Congress and in the committee: That an opportunity ought to be given to the men in the country who want to tender their services before they are actually called into the service, even though the Government shall reserve the right not to accept them?

Secretary BAKER. I have only one criticism of it which occurs to me at this moment, and that is this: That it makes of the draft, when you do enforce it, a penalty, and it has the vice of being what every student and observer has said is the worst possible system; that is, a mixture of volunteering and drafting.

Mr. CALDWELL. We have got that anyway.

Secretary BAKER. No; you have not quite a mixture, because when you leave the bill as it is you simply have the establishment already created by law recruited to its war strength by the volunteering system, and you do not have in your additional forces, increment by increment as you raise them, the confusion of the volunteer and the conscript.

The CHAIRMAN. You must admit, however, that if Congress should recognize the right of volunteering and give to the Government and the War Department the right to go ahead with registration, and after the registration is completed the right to conscript or draft an army of a half a million or one million men at the end of the registration period, we would be giving to the War Department substantially everything that is asked for in the bill.

Secretary BAKER. So far as number of men is concerned that is true.

The CHAIRMAN. And so far as the power is concerned?

Secretary BAKER. So far as the power is concerned that is true. But the effect of it on the Nation—and, of course, as Napoleon said, "In any war moral effect is to force as about seven to one." Now, the War Department is not interested only in having a special number of men, but it is interested in the moral effect of the mode of selection of those men upon the spirit of the Nation. And I will say to you gentlemen that if you put up to the people of this country the choice of volunteering, so that a man will tear himself away voluntarily from his family and his friends and break up his business as a mere matter of volunteering, you will create more social unrest and discord a dozenfold than you would if the Government came along and tapped that man on the shoulder and said, "The processes of democracy have so worked it out that your duty is to go." There are then no misunderstandings.

The CHAIRMAN. Now, Mr. Secretary, if every man is just given the privilege of filing his tender of services and then going on about his business—

Secretary BAKER (interposing). I am rather inclined to think that even then we take a wrong view of it. If the young men of this country owe the duty, what right have you to ask them to do their duty?

Mr. GORDON. Because of the voluntary obligations which their citizenship demands.

Secretary BAKER. Quite the contrary. There is not a member of this committee who does not believe that the military duty of defending the country is an unescapable incident of citizenship.

Mr. GORDON. That is the very basis of the volunteer system.

Secretary BAKER. It is the basis of all systems. If it be true that your duty and my duty and every man's duty is to defend his country, then what moral process have we which allows us to go around and ask men whether they are willing to do their duty. Rather is it not for the Government to tell them what their duty is?

The CHAIRMAN. Mr. Hull, do you desire to ask the Secretary any questions?

Mr. HULL. I have only one question to ask the Secretary.

Mr. Secretary, I am a great believer in democracy, and a great believer in the American Congress. My experience here for two years has intensified my admiration for Congressmen and for democracy. The one thing about all this that does not appeal to me is the speed with which we are being thrown into something that the people have not had a chance to formulate correct opinions about, or their own opinions.

Now, Mr. Secretary, would you object to this kind of a proposition: Draw your own bill; I do not care what it is. If you do not want the volunteer system, do not put it in your bill; but before these boys are to be taken from American homes, let the American Congress later decide whether you shall have the right to draft them. You can proceed, if you desire, under the terms of your bill, to organize them—call it training, if you please—but let the American Congress decide at some time in the future whether they shall be drafted into the service. Would you object to that kind of a proposition?

Secretary BAKER. I do not know what that means. Of course, we can not do anything without the consent of Congress.

Mr. HULL. It simply means that Congress should have the deciding of that question at some future time, not to-day. That is all.

The CHAIRMAN. I think Mr. Hull means this: Suppose that the President should go ahead and exercise the power he has under the national-defense act and under the act of April 25, 1914, and exercise that now.

Mr. HULL. They can draw their bill and organize the entire male forces of this country, enlist them, train them, if you will, but before you send them into action the American Congress is to say whether or not you have the right to do that. Would you object to that?

Secretary BAKER. I still do not know what that means. If it means that Congress should pass a bill which would invite me to draw a bill authorizing the raising of an army in the manner provided in the bill I have drawn or the bill to be drawn, but that its use as a military force is to be inhibited until Congress shall take further action, that is a political question and not a War Department question, and what I am interested in is the building of an army. The use of it is a political question for Congress to decide.

Mr. HULL. Mr. Anthony has drawn an amendment, and at the proper time I was going to suggest one or two simple changes in it. His amendment to which I refer reads:

The President is hereby authorized to immediately organize and equip an additional force of five hundred thousand enlisted men, or such part or parts thereof as he may deem necessary, by a call for volunteers in accordance with the provisions of the act for raising the volunteer forces of the United States, approved April twenty-fifth, nineteen hundred and fourteen. Such volunteer army shall be apportioned among the various States and Territories and the District of Columbia according to population, raised in regimental units or parts thereof in such States, Territories, and the District of Columbia in addition to the National Guard in such States and Territories and the District of Columbia, already authorized by law. The officers of such volunteer forces shall be appointed by the President in accordance with the provisions of the act of April twenty-fifth, nineteen hundred and fourteen, and of the national defense act of June third, nineteen hundred and sixteen: *Provided*, That the President may, in his discretion, appoint one or more general officers in such volunteer forces from among such former forces of the United States Volunteers recognized as possessing distinguished ability to command: *And provided further*, That such volunteer forces shall be recruited in local units as far as practical, and company officers may be appointed from such units upon passing such reasonable and practical examination as to fitness as the President may direct.

This is the paragraph of Mr. Anthony's amendment to which I desire to direct your particular attention:

To proceed immediately with the enrollment of all male citizens of the United States between the ages of twenty and forty liable to military service, in accordance with the provisions of this act, as hereinafter specified, arranged in suitable classes: *Provided*, That, five months after the call for volunteers authorized in the preceding paragraph, in case the response to such call from the various States has not been sufficient to approximately provide the number of enlisted men so authorized, the President be, and he is hereby, authorized to call from any one class or classes of such enrollment sufficient eligibles to raise by draft as herein provided—

And so forth.

My proposition is, to amend the latter paragraph of this amendment by striking out the words:

Provided, That, five months after the call for volunteers authorized in the preceding paragraph, in case the response to such call from the various States has not been sufficient to approximately provide the number of enlisted men so authorized, the President be, and he is hereby, authorized to call from any one class or classes of such enrollment sufficient eligibles to raise by draft as herein provided—

And so forth, and insert this language, simply to allow you to go ahead and have everything ready:

And when such enrollment is completed to report the same to Congress with any recommendations it may see fit to make.

Would you object to that?

Secretary BAKER. I think that would be very unfortunate. Every country which is in this war now went to war within an hour after war was declared. We have been at war two weeks and still have not started to raise an army.

The CHAIRMAN. Mr. Lunn, do you desire to ask the Secretary any questions?

Mr. LUNN. I would like to ask the Secretary a question that, I think, he may have answered before, in regard to the universal-service part of this bill, beginning on line 21, page 6:

Such draft shall be based upon the liability to military service of male citizens or male persons who have declared their intention to become citizens between the ages of nineteen and twenty-five years.

That would really take those from 20 to 24 years, inclusive.

I would like to ask you, Mr. Secretary, whether you would object to an amendment like this, beginning after the word "citizens":

Between the ages of twenty-one to forty-eight, inclusive, to be divided into four classes, as follows: First class, those male citizens or male persons who have declared their intention to become citizens, of the ages of twenty-one to twenty-seven; second class, those male citizens, or male persons who have declared their intention to become citizens, of the ages of twenty-eight to thirty-four; third class, those male citizens, or male persons who have declared their intention to become citizens, of the ages of thirty-five to forty-one; fourth class, those male citizens, or male persons who have declared their intention to become citizens, of the ages of forty-two to forty-eight, inclusive; these different classes to be called to the service at the discretion of the President.

That is to say, if the President finds that the first class, those from 21 to 27 years of age, is sufficient, there will be no further occasion for calling the other classes. There are a great many people who are bringing forth a sentimental objection to the phrase, saying we are going to call children to the Army, objecting to the phrase "between the ages of nineteen and twenty-five years." I know it is a sentimental objection, but it has a certain effect on a great many people.

Secretary BAKER. I have no objection to such a scheduling as you have provided, except that I believe it would be better to make the minimum age 20 years rather than 21.

Mr. CALDWELL. Because it will take a year to train them?

Secretary BAKER. Because it will take a year to train them. I think it would be better to start with 20 years instead of 21 years.

Mr. LUNN. Then I have one other suggestion. I feel that we ought to decide this question with a view to the future and on a principle. If any of us is in favor of the volunteer system to the extent that we are willing to risk the whole future of the Nation, or to carry on this whole war on that basis, I think that is a mistake. Those who want to do that are in favor of the volunteer system, which I am not. We ought to decide this matter on the basis of the fact that we are in a war. It is pathetic to say that we have been at war three weeks and we are trying now to decide whether we are going to have an Army. How are we going to carry on a successful war against the most efficient military nation on earth while leaving it to the decision of 100,000,000 people how we are going to do it? I speak feelingly on this question, because I have been in the volunteer service, and I have seen its deficiencies and its failings.

The CHAIRMAN. Pardon me, Mr. Lunn, but that is argument, and is not a question directed to the Secretary.

Mr. LUNN. I realize that, Mr. Chairman, and I beg your pardon. Mr. Secretary, I would like to ask this question: Do you believe we ought to decide this question on the principle of taking it one way or the other? I feel we ought to do it along the lines of your bill.

Secretary BAKER. I think we ought to take one or the other, and if you want to extend to the Nation a classification that will include all men, clear up the line to the extreme military age, there can be no objection to it, so long as the President's discretion allows him to take the junior class to start with.

The CHAIRMAN. Mr. Garrett, do you desire to ask the Secretary any questions?

MR. GARRETT. Mr. Secretary, do you think if the bill as sent here by the War Department, fixing the ages of these million men to be raised by draft between 19 and 25 years, should be passed, it would be taken by the country to mean universal service according to a man's ability to render it?

Secretary BAKER. I think so.

MR. GARRETT. Then what service would be the other millions of men above the age of 25 years be rendering to their country in a crisis, as compared with the service rendered by those called to the colors?

Secretary BAKER. Of course, you will have that distinction, unless you put a gun in every man's hand. There is no answer to that unless you have a whole nation of soldiers. Some process of selection has to be devised.

MR. GARRETT. Do you not think the department has limited it extremely in fixing the ages between 19 and 25 years?

Secretary BAKER. No; I think that proceeds upon perfectly sound considerations.

MR. GARRETT. In fixing the age between those years, are you basing it upon the question of ability to render service, or is it on the basis that these men are the men who can best be spared?

Secretary BAKER. On the two laws that all experience with every war in history shows to be correct. First, that that is the best military period in a man's life, the time when young men are best adapted to training and service. The second consideration, and one which is not less important, is that those ages dislocate the commercial, industrial, and agricultural establishments of the country upon which the success of the war depends least of all.

MR. GARRETT. On the question of industrial disturbance, do you not realize that if this war is long drawn out, industrial conditions in this country will be disturbed?

Secretary BAKER. Obviously. They will be disturbed even if the war lasts only a month. Every man you take from any occupation dislocates the industrial system.

MR. GARRETT. I understood you to say the other day that one of the reasons for fixing the age between 19 and 25 years was to prevent, as far as possible, disturbance to the industrial conditions of the country.

Secretary BAKER. On the theory that a young man, even when he has reached the age of 25 years, has not yet become a skilled workman, except in extraordinary cases.

MR. GARRETT. This question is in my mind: If we are going upon the plan of universal service, I think that it should be from the beginning declared in the law that every man between the military ages, say from 21 to 45, or 50 years, if you prefer it, are called to the defense of their country, and that in the process of elimination that discretion should be lodged with those in charge of the executive departments conducting the war to detail these men back to that service that they are best able to render their country.

Secretary BAKER. I have no objection to that, except that I think it is needlessly intricate.

MR. GARRETT. You understand, Mr. Secretary, the question that is on my mind. I do not agree with you that the country will accept the ages of 19 to 25 years as the proper ages for universal service. I

do not think they will do that; and if we are going to have universal service, I think we should fix the ages from 21 to 50 years, and every man should be called by the statute itself—that is, every man who is physically able to bear arms should be called to the colors—and the department should then weed out those it does not want. If it is thought that there should be no man taken away from the farm, such a man should be sent back to the farm; and if it is thought that a man should not be taken away from a factory, such a man should be sent back to the factory where they are making those things necessary for the Army. I think a blacksmith is just as important in the Army as the man who rides the horse, because the horse has to be shod if he is going to be able to go along and do the service that is expected of him. Do you not feel that the country would be better satisfied with such a system of universal service as that?

Secretary BAKER. I think that is so obvious an implication of citizenship that everybody knows it without its being declared in the statute, and I think it would be a very intricate and difficult piece of mechanics, and would result in having a great many people unnecessarily trained, if you had the whole 14,000,000 men who might be included between those age limits present themselves and go through the elimination process and be awarded certificates and badges. I think that would complicate the problem very much.

Mr. GARRETT. That might be true. It might be somewhat complicated; and yet every one of those men all up and down the country could be pointed out as the men who had been called to the colors and who had responded and who had been designated by the War Department to be detailed to other work.

Secretary BAKER. Badges cease to be of importance when everybody wears them. It is only when they are distinctions that they are of any importance.

The CHAIRMAN. Mr. Crago, do you desire to ask the Secretary any questions?

Mr. CRAGO. The Secretary has expressed my position on the question so well that I do not care to go into the general plan at all. I want to ask one or two questions in regard to details, by way of suggestions of changes, in order to see whether they would be acceptable to the Secretary. First, in reference to the matter of the change of the age limit, the age limit being extended, I understand that is agreeable to the department?

Secretary BAKER. You mean the raising of the minimum age to 20 years?

Mr. CRAGO. Yes.

Secretary BAKER. That is, a minimum of 20 years.

Mr. CRAGO. Would there be some way to provide in the bill that the hundreds of thousands of young men, strong young men, 17, 18, or 19 years of age who wanted to go into the Army could be taken care of?

Secretary BAKER. I see no way to do that, because there is no way to train them.

Mr. CRAGO. Except through the National Guard and the Regular Army?

Secretary BAKER. Yes.

Mr. CRAGO. Would there be any objection to the idea of putting something in the bill which would require a territorial recruitment

and organization of the men? Would that be objectionable to the War Department?

Secretary BAKER. I do not know that I understand that.

Mr. CRAGO. In all countries, in our country, in our volunteer organizations, we have tried to group the men in organizations, as they come from certain localities. Would there be any objection to a provision of that kind?

Secretary BAKER. There can be no objection to that if it can be elastic enough and not be made mandatory. When it is simply a suggestion of the policy of the Congress the War Department will follow it as sympathetically as it can; but there will be little groups that will have to be assembled, and community interests can not always be preserved.

Mr. CRAGO. I think that would be a source of great strength.

Secretary BAKER. I should be very happy to do it; and even if you put nothing in the bill to that effect we will do as much as we can to accomplish it.

Mr. CRAGO. In the administration of this enrollment, would it be possible to put something in the bill to show the country that it would be administered by a majority of civilians, rather than by putting it entirely in the hands of officers of the War Department?

Secretary BAKER. I should not like that, and I think it would be a very unfortunate thing to put anything in the legislation which would tend to show the country that the Congress distrusts the War Department.

Mr. CRAGO. That is not the purpose at all, and it would not be done for that reason. If it is done, I think it would be done to allay the fears of the people and to show them that the tendency which a great many people see to arbitrarily exercise power, which is shown by officers of the Army, would be safeguarded.

Secretary BAKER. I do not see how it would be possible to put anything in the bill on that subject that did not imply that you felt a doubt as to the fairness of the administration of this law. In its operation I have the firmest intention to cooperate with all the civilian authorities, through the governors of the various States.

Mr. CRAGO. In the application of this law in the little units of the community, the county, township, ward, and borough, the mal-administration of it will have as much as anything else to do with the popularity of this system.

Secretary BAKER. I think that is so.

Mr. CRAGO. If we could know that this law would be administered by the Army officers in a way to make it popular, or whether it is necessary to put a provision of that kind in the law, that it is to be administered by civil authorities, with a representative of the Army, the Medical Department of the Army, I think the people would be better satisfied, at least, in the beginning, to have it done in that way. But I would not want to do anything, put any provision in the bill that would cripple the administration of the law.

Secretary BAKER. I feel sure that any machinery of that kind which would undertake to do anything along the line you suggest, will find itself at variance with some local conditions which you do not anticipate, and that is the difficulty in phrasing a thing which is of universal application.

The CHAIRMAN. Mr. Harrison, do you desire to ask the Secretary any questions?

Mr. HARRISON. Mr. Secretary, I want to say I am heartily in sympathy with the basic principles in the bill, but there are some objections to certain features of it. I know what will happen if a military authority goes out into our little rural communities and undertakes to say that this man shall be drafted for service and this man shall not serve. Especially in view of the fact that it introduces rather revolutionary methods of raising an army, it is bound to produce more or less friction. I know the people in the country are looking to their local courts for protection, and I do not see how it would be any reflection upon any of the military authorities, or any other persons discharging their duties, to say that they should be given that protection of the courts.

I would like to ask whether there would be any objection to an amendment like this. You have provided penalties for failure to register and to be enrolled. I would like to suggest an amendment like this: "*Provided*, That by proceedings in the nature of habeas corpus proceedings, the local courts, State or Federal, of general jurisdiction, according to the local laws, shall have jurisdiction to determine, summarily, the liability of any person to draft."

Secretary BAKER. I am perfectly agreeable to that.

Mr. HARRISON. Now, I want to refer to another matter, and that is carrying out a feature which was suggested. I think, by Col. Crago, in reference to local enrollment. I want to ask you whether you would have any objection to an amendment like this: "*Provided*, That all enrollments shall be grouped as far as practicable by communities, from the same State and the same political subdivisions therein"?

Secretary BAKER. I have not the slightest objection to that.

Mr. HARRISON. There is another matter that gives me some concern. I understood that the department proposed an amendment like this, "Whoever has enlisted in either the Army or the National Guard since the — day of —, 1917, shall, at the termination of the emergency be discharged upon their application." That is an amendment proposed by the War Department?

Secretary BAKER. Yes, sir.

Mr. HARRISON. There is just one other matter in reference to the age limit that gives me concern. It does look like the men over 25 years of age are imposing military duty upon those under 25 years of age, and as this is a revolution in our methods of raising an army, it seems to me if that could be avoided it would be wise.

Secretary BAKER. Would it not be avoided by the suggestion which Mr. Lunn made, of enumerating men in classes and taking first men up to 25 years, as being those who can be best spared from industry and are best able to bear the hardships of actual training?

Mr. HARRISON. I know of some men whom, if you could get them into the Army by some such provision, it would be a good thing for the community, but there are so many useful young men under 25 years of age engaged in commerce and industry that it seems to me if you could make that provision elastic it would be a good thing.

Secretary BAKER. I think we have all wished often that we could write that into law.

Mr. HARRISON. I feel that the sound, logical principle is that everybody is liable to military service. In your State and my State we have had that from the time when the mind of man runneth not to the contrary. Every man was liable, and he had to report for drill every two or three weeks, and to report for duty. So there is nothing new, so far as the State of Virginia is concerned, in the liability of every man to render military duty in time of war. It is upon that principle that I somewhat fear the results of that particular portion of this bill. If you take a certain class and say to the young men you must go, and to older men, you must not go, that is a favored class, where there is universal liability of service.

Secretary BAKER. I realize the validity of that suggestion, but that is modified a good deal by the fact that we have become a much larger Nation than we were in that day, and the total number of persons has become greater. In a country like Switzerland it is logical to have every man a trained soldier, and while it might have been logical in this country when the population was one-third of what it is now, the growth of our population has modified, to some extent, the application of that doctrine.

Mr. HARRISON. When people have been trained for many years along certain lines, to violate that principle, so far as they are concerned, would look to me like unnecessarily breaking in on their traditions.

Secretary BAKER. I think everybody in the world realizes that the whole business has changed from the time you and I are both referring to. Modern war is so different, and its dependence upon industry is so obvious, that I think everybody who thinks about it—and the leading people in every community will think it out and explain it—will find there is less to be feared from that source than might seem likely.

Mr. HARRISON. As I understand it, this bill provides no great disturbance of that principle, if we could recognize that principle, and that it would be a difference in the mechanical operation in putting it into effect.

Secretary BAKER. Exactly.

The CHAIRMAN. Mr. Tilson, do you desire to ask the Secretary any questions?

Mr. TILSON. Mr. Secretary, I am very much in favor of having action upon this bill, and I am not going to take much time in asking questions. There are some little details, such as those mentioned especially by Mr. Crago and Mr. Harrison, that I think are deserving of attention. I approve the suggestions made by those gentlemen in reference to the matter of locality and in regard to the matter of ages, to some extent. Otherwise I am ready to take the bill as a whole, except one paragraph in the bill. I think the department ought to seriously consider the paragraph recommending that during the existence of the emergency all bureau chiefs shall have the rank of major general.

Secretary BAKER. Of course, that point is one which involves no vital principle. I think it is right, but it is not vital.

Mr. TILSON. While agreeing with you, Mr. Secretary, that it is probably right, my question is as to whether it is an opportune time to make the change.

Mr. CRAGO. A great many men who are earning \$10,000 a year will enlist and serve in the Army for \$15 a month.

The CHAIRMAN. Mr. Olney, do you desire to ask the Secretary any questions?

Mr. OLNEY. Mr. Secretary, I may say I am for the bill, as you have recommended it, in its main features. But in regard to the matter of the age limit, I am interested in what Mr. Lunn said in regard to the classification of men into the four classes he outlined. Would you favor, in preference to that scheme, a general classification, say, between the ages of 20 and 40 years?

Secretary BAKER. Classify them by years?

Mr. OLNEY. No; a general classification, having the first draft of eligible men between the ages, say, of 20 and 40 years?

Secretary BAKER. I think that would be very unfortunate. I would very much prefer to have them classified in five-year classes, say, from 20 to 25 years, from 25 to 30 years, and so forth.

Mr. OLNEY. The words "draft" and "conscription" are probably rather unpopular, and you would not object to changing that wording of the bill so it might read "personal obligation to service," would you?

Secretary BAKER. I think it would be very unfortunate to change that.

Mr. OLNEY. You think we should use the words "draft" and "conscription"?

Secretary BAKER. I think we should use the word that challenges attention to the thing and not attempt to evade it in any way.

Mr. OLNEY. It was my thought that perhaps some other word would accomplish the same purpose.

Secretary BAKER. It can not accomplish the same thing by doing it by indirection, in the other way. I think we ought to say frankly what we are doing.

The CHAIRMAN. Mr. Wise, do you want to ask the Secretary any questions?

Mr. WISE. Mr. Secretary, I understood your position to be that you were perfectly willing for the ages to be from 20 to 40 or 45 years and have them arranged in groups or classes of 5 years each, with the authority to first call in men in the youngest group. Would not the effect of that be, and would it not mean, that you do not yield anything at all in the bill, because you would get all the soldiers you want or expect to have between the ages of 20 and 25 years?

Secretary BAKER. That is exactly the effect of that. It was not intended to call anybody beyond 25 years, but merely to notify the country that the obligation rests upon the citizenry for that service.

Mr. WISE. As I understand it, the idea is that when we call the first class out, then you would get the next class ready, and it would be simply a question of time when you would reach the others. Will not the effect of that be while you enroll all the people between 25 and 40 years they will simply be enrolled and never be called?

Secretary BAKER. I can not tell. I presume the only chance that would lead to any such call would be the chance that this war may grow worse than it is.

Mr. WISE. How many young men are there in the first class?

Secretary BAKER. In the class estimated for in the bill it is about 6,000,000.

Mr. WISE. Take a boy who is now 19 years of age, he would start at 20. In the first enrollment, after eliminating certain defectives or those not qualified, you would have about 4,000,000?

Secretary BAKER. I think it would average about 3,500,000 for each class of 5 years between 20 and 40 years.

Mr. WISE. How many additional men would go into the first class each year from 19 to 20 years of age?

Secretary BAKER. The class would be growing all the time.

Mr. WISE. To what extent would it grow each year?

Secretary BAKER. One million.

Mr. WISE. Then, as a matter of fact, all the men, even if you enroll them all, would be men between 20 and 25 years of age?

Secretary BAKER. Not necessarily.

Mr. WISE. Unless you had about ten or fifteen million men in the field.

Secretary BAKER. No; I do not think that is an answer. We might have very great losses. The wastage of war has to be replaced. I will inclose with my hearing a memorandum showing the total enrollment required to maintain a given force at full strength in the field.

Mr. WISE. Do you think that is likely to happen?

Secretary BAKER. I hope not, of course, but I think we ought to plan our participation on that basis.

Mr. WISE. Is it your real judgment that it is likely that any others will be called except the men in the first class?

Secretary BAKER. That would be a mere idle speculation, Mr. Wise. I can not answer that. I know that this war has disappointed cruelly every expectation anybody ever had about it.

Mr. GORDON. Except Kitchener.

Secretary BAKER. Yes.

Mr. CALDWELL. And it took his life.

Mr. WISE. Mr. Secretary, I understand your position is that the volunteer system is a failure and does not amount to anything. Is that based on the number of men who come in under the volunteer system or the methods used to get them in?

Secretary BAKER. I think the method is bad and its results are a failure.

Mr. WISE. As to its results, Mr. Secretary, do you know now the number of men who volunteered in England?

Secretary BAKER. I do not know the exact number.

The CHAIRMAN. Capt. Benson told us it was 5,000,000, out of a total strength of six and a half million men in the army.

Mr. WISE. Would you say the volunteer system was a failure, from the number of men that went in?

Secretary BAKER. I should say it produced the men.

Mr. WISE. Then, so far as getting the men is concerned, it was not a failure?

Secretary BAKER. It was not a failure to that extent, although it failed ultimately because it did not get enough men.

Mr. WISE. So far as England was concerned, was that not because they had reached the point where they had to take everybody into the army or into some other service to serve for the army, and not like our situation, where you have 20,000,000 men?

Secretary BAKER. I think that is part of it, but you must not forget that the volunteer system in England, quite apart from the social compulsions used to boost it, was a system in force in an island, where the Germans were actually raiding them with Zeppelins, and raiding their coast, and they were under the immediate inspiration of war.

Mr. WISE. I understand that the geographical position of England, in close proximity to Germany, made more people volunteer; but in denouncing the volunteer system as a failure, it seems to me, we ought to look at the number of men who go in under the system. Do you remember how many men volunteered during the Civil War?

Secretary BAKER. I had those figures in my head yesterday, but I do not remember them at this moment. The number of volunteer enlistments was much greater than the number of men drafted.

Mr. WISE. Is it not a fact that during the Civil War there were not over 60,000 men gotten into the Army by draft?

Secretary BAKER. Exactly; and every authority criticizes that draft as having been a penalizing draft, after the pressure of volunteer enthusiasm had gone down. Everybody I know agrees it would have been better to have had the compulsory system at the outset.

Mr. WISE. Why should a system of volunteering be said to have been a failure when there were over 2,000,000 men who went in voluntarily in a little over two years?

Secretary BAKER. It is wholly impossible to discuss whether the system is a success or not as an abstract proposition. You can take what was done at a particular time and have speculative opinions as to whether or not something else would have been better, but nobody can, on that basis, say what would have been the consequences of a condition which never took place.

Mr. WISE. As in other instances, is it not a fair proposition in this case to judge the future by the past?

Secretary BAKER. Exactly. If you want to take the Civil War volunteer system, I think you will have to remember that we were a divided country at that time; that each enemy was at the other's gates and throats; that the war inspiration had been going on for years and years in the form of agitation, and there was a great pressure of military necessity, due to the actual presence of an armed enemy, urging recruiting on both sides.

Mr. WISE. Then it is your real fear, so far as the present volunteer system is concerned, with the enemy a long way off, the people not feeling the interest in it they otherwise would feel, they will not volunteer?

Secretary BAKER. Quite frankly, I think the most surprising thing about the United States at this moment is its lack of imaginative comprehension of the possibilities of its task, and I think it may prejudice the volunteering, just as I think—and I say it with the greatest deference—it has affected the consideration of the pending measure.

Mr. WISE. As to the effect on the people generally, do you not believe it is of more importance at this time that the people of the United States should be in sympathy with, and at heart support, the administration in carrying on the war, rather than to have a damper put upon it by starting out with a method that has always been repugnant to them?

Secretary BAKER. No, sir; I do not. I think it would be much better—and when you speak of the administration I take it for granted that you mean the Government—I think it would be better to have the Government intensely unpopular for doing right now than to have it repudiated later for having done wrong.

Mr. WISE. How would that be possible, if in the same bill that allows an opportunity for men to volunteer there is the absolute authority to conscript at the time we are prepared to handle the men, if you do not get them the other way?

Secretary BAKER. That is the old objection. Make a penalty and a disgrace of the draft system, instead of making it a system by which the Government undertakes to apportion the duties of citizens.

The CHAIRMAN. Mr. Morin, do you desire to ask the Secretary any questions?

Mr. MORIN. Mr. Secretary, if the committee shall finally be willing to favorably report the bill with the draft provision substantially as submitted by you, would you approve of an amendment that could be made to the section that would not deprive the country of the services of a man or deprive any person of the opportunity of serving the country, an amendment that would not require men drawn to serve until they were 21 years of age?

Secretary BAKER. I think it would be better not to do that. I think if you are going to eliminate the necessity of service you had better not waste time training people who will have a subsequent election in the matter.

Mr. MORIN. The boys who are 20 years of age now would come in on the second call, at 21. The boys who are 19 would come in the third call, at 21, and it would give those boys, many of whom are attending school, an opportunity to finish their education, and at the same time they would come in at 21 years of age and give the Government the benefit of their services.

Secretary BAKER. I think it would be unfortunate, if I understood your proposition correctly. It would be much better, I think, although I think it would be bad, to limit the persons who are to be trained to a minimum age of 21, rather than to take in any at 20, and say they could not be employed in the defense of the country until they were 21.

Mr. MORIN. This is what I mean: If they happen to be drawn they are put on the list, and at 21 they are called.

Secretary BAKER. To make them a deferred list?

Mr. MORIN. Let them come in under the age.

Secretary BAKER. I do not think I see any reason for doing it at all. The difference between 20 and 21 years is purely arbitrary.

Mr. MORIN. It would give them an extra year, and there is a matter of principle involved. Those boys have not arrived at the age of maturity, and as a matter of democratic principle I do not think we should force men into the Army to fight for the country under those circumstances.

So far as I have been able to find there is no country in Europe that requires active service under the compulsory or universal system before 20 years of age, and there are several countries that do not require it until 21 years of age, and there is one country that does not require them to serve until they are 23 years of age.

Secretary BAKER. I did not know that.

Mr. MORIN. I have looked up the constitutions in about 25 countries, all the countries now engaged in war, and none of them require service under 20 years of age.

Secretary BAKER. I did not know that.

Mr. MORIN. Some of them provide for temporary or preliminary training at their homes between 17 and 20 years of age; others provide that they are liable to training in peace times, but none of them calls men into active service under 20 years of age.

Secretary BAKER. I had no idea that was so.

Mr. MORIN. That is the German constitution; and I have looked up the constitutions of all the nations with which we would be allied, and there is not one that requires that under compulsory service.

Secretary BAKER. I did not know that.

Mr. MORIN. I do not think we should go a step beyond those countries and take them into the service at 19.

Secretary BAKER. The age of 19 years imports a certain immaturity that the age of 20 years does not; and I think it might be well if you put it at 20 years, on the theory that it would take a year to train them, and they would be 21 by the time the training was completed.

Mr. MORIN. My objection was that the proposition would take boys away from school at that age, when the emergency is not so great that we need them. If you take them at that age and train them, and deprive them of that year in school, I do not think it would be right. I would like to see them not required to come into the service until they are 21 years of age.

Secretary BAKER. I am afraid I would be set down as an educational heretic if the relative importance, to my mind, of a boy staying in school and going into training were expressed.

The CHAIRMAN. Mr. Caldwell, do you desire to ask the Secretary any questions?

Mr. CALDWELL. Mr. Secretary, in reply to one of my questions a while ago, you stated you did not want us to do anything to bring in a million men before you were able to take care of them?

Secretary BAKER. Yes, sir.

Mr. CALDWELL. Do you think, if we permitted men to come into the three branches of the service pending the time you could get the machinery of a draft in operation, you would get your whole million?

Secretary BAKER. I have no means of knowing that. I think it would be an unsafe experiment.

Mr. CALDWELL. Do you think it would happen?

Secretary BAKER. I have not the faintest idea. It depends upon the activity of the recruiting campaign and also upon the events of war as it develops.

Mr. CALDWELL. Would you be afraid it might happen?

Secretary BAKER. I should say so, if it were rendered possible to happen under the statute.

Mr. CALDWELL. You know there are many thousands of men in the United States who have had military training in this and foreign countries who are over the age of 26 years and yet are young enough to do real military service?

Secretary BAKER. Yes; a great many of them.

Mr. CALDWELL. Can you give us any excuse we could give to the Nation to refuse a voluntary tender of service on the part of men who have had military training and who were physically able to go and who wanted to go?

Secretary BAKER. I do not know whether I could give you an excuse which you would admit, but if I were going to offer an excuse I would say I think it much more important to allow society to determine where a man can best serve his country rather than to allow the man himself to determine that.

Mr. CALDWELL. We want an army at the earliest possible moment—a real army; I do not mean a mob.

Secretary BAKER. Obviously.

Mr. CALDWELL. If we make up an army composed largely of men who have had military training, we would get that real army at a much earlier date.

Secretary BAKER. There are not enough people who have had an element of military training to make an appreciable difference in the total force.

Mr. CALDWELL. And you do not think that would make any appreciable difference?

Secretary BAKER. I do not think that would make any appreciable difference. You would not be able to pick them out at the end of six months.

Mr. CALDWELL. In framing this bill we should have in our minds, both you and this committee, should we not, the proposition of getting an army that is willing. I do not mean enthusiastic; I mean willing.

Secretary BAKER. I concede that the answer to that question must be yes, but I do not at all concede the implications which I am obliged to think you have in mind about it. I think any army of Americans will be willing because they are Americans.

Mr. CALDWELL. You do not want us to take any chance of getting some who would be unwilling?

Secretary BAKER. I think you are quite likely to have in any army, no matter how enthusiastic and no matter what the mode of selection is, men of various temperaments who are very active one day and very inactive one day. You will have them homesick one day and enthusiastic another day, and when something happens that puts enthusiasm into them they will be in high spirits, and so on, but they will all fight.

Mr. CALDWELL. How long do you think it will take to get up your data and get your machinery together to start the draft and call the first man under the draft?

Secretary BAKER. Three months.

Mr. CALDWELL. Is that the minimum or the maximum time?

Secretary BAKER. I should say that was the average time. We might be able to do it in very much less time than that and it might take a little longer, but certainly not much longer.

Mr. CALDWELL. I presume from your answer you have had various men in the department make an estimate or suggestion as to the time?

Secretary BAKER. I have given a very great deal of personal time to it and have worked with military men in the department on it.

Mr. CALDWELL. What is the minimum time that has been suggested?

Secretary BAKER. You mean the minimum time within which they could be ready in the event of pressure to get them immediately?

Mr. CALDWELL. No; here is what I mean: I mean in the ordinary course of things as we go along here, if we pass this bill in just exactly the words you propose, what is the minimum day that the department would undertake to get it ready?

Secretary BAKER. I think it could be ready without the least doubt in three months, and I think it would in any event be ready before we would be ready to have the men—that is, the process would be ready before we would need the first man under it.

Mr. CALDWELL. There are a great many men in the United States service doing departmental work in the War Department who are civilians and who have filed applications for positions in the officers' reserve list?

Secretary BAKER. Yes, sir.

Mr. CALDWELL. Will these men be continued in their desk duty or employment, or will they be sent to the trenches?

Secretary BAKER. Well, it was suggested that they should be called out as reserve officers and reassigned to their desks, and I disapproved of that suggestion.

Mr. CALDWELL. Do you not think it would be a good plan—we may not have the same Secretary of War always, because human life is not a certain quantity—to put that in the bill?

Secretary BAKER. A prohibition upon that?

Mr. CALDWELL. Yes.

Secretary BAKER. I have not the slightest objection.

Mr. CALDWELL. Under section 61 of the national-defense act it is provided that the States shall maintain no other troops in time of peace, but there is no prohibition as regards the maintaining of other troops in time of war. I mean, for local use. Would you think it would be desirable or advisable to put in this bill or in some other bill a provision for the raising of a home guard during time of war of men over military age, at the States' own expense and not at Government expense so as not have it interfere with anything the Government is doing?

Mr. GORDON. The States have ample authority for doing that now.

Secretary BAKER. I should think they had ample authority, but if the clause you have read to me is deemed to prohibit that on the part of the State I agree with you perfectly that it ought to be modified. The thing I am most afraid of about home guards is that they won't be there. I think it ought to be encouraged in every way, and I think if it is possible the mode of arming them ought to be controlled. In other words, I do not think that half-trained men, men in training to do home-guard duty, but not seasoned and trained men, ought to have high-powered rifles. I think they ought to use riot guns or something of the kind and not be killing people a mile off.

Mr. CALDWELL. I think, Mr. Secretary, in view of the fact that this clause provides for times of peace, it would be perfectly in order for your department to issue some sort of circular to the various governors of the States. I know there is a great deal of feeling in the States, both South and North, that they will need some sort of an armed force at home, very likely, soon, and under the circumstances

I think we ought to have either something in the bill or some departmental action so as to authorize and tell these people what they shall do.

Secretary BAKER. I have already encourage the building up of home guards as much as I could by correspondence with some of the governors who have proposed it, and my sympathy is wholly in the doing of it.

Mr. CALDWELL. Now, I have one other question, and then I am through. You spoke, in response to some of the inquiries, of the desirability of passing this bill in its present form so as to show our friends who are in this war that we are in it to stay and are going in it right, and also so as to show our enemy that we mean business. Now, do you not think we could effect the last of that by passing a bill that the whole of Congress could support better than passing a bill that we would have a divided Congress on?

Secretary BAKER. I never have been able to answer that kind of a question in my life.

Mr. CALDWELL. Then that is all.

Secretary BAKER. I can not answer that kind of a question. I have no means of knowing what Congress is going to do.

Mr. KAHN. Mr. Secretary, of course you have seen the English enlistment acts?

Secretary BAKER. I have seen the first one. I have not seen the second one, Mr. Kahn.

Mr. KAHN. The military service act of 1916 is printed in the hearings here, and right at the outset it enlists in the army of England and puts all the persons between certain ages into the reserves immediately. Would not that be a good plan for us in this instance? To practically put all men between certain ages into the reserve army of the United States?

Mr. CALDWELL. They are already in the unorganized militia.

Mr. KAHN. The unorganized militia are State forces and are not United States forces.

Secretary BAKER. I have no objection to that.

Mr. KAHN. Do you not believe that following that course every individual in the United States between military ages would know that he is subject to be called at the command of his country forthwith?

Secretary BAKER. I yielded to the suggestion from Mr. Lunn that was addressed to the same object. I think it would have the same effect.

Mr. KAHN. Of course, it is exceedingly desirable that the committee should bring out a bill unanimously if it can be done. The effect on the country would be exceedingly beneficial and the enemy know that the country is united.

Mr. ANTHONY. I would like to ask the Secretary in case it was the judgment of this committee and of Congress to adopt some other plan, would there be any lack of cooperation in carrying out the plan?

Secretary BAKER. Absolutely not. You can draft only the members of my family and I will try to make an army of them and send them to fight.

Mr. GREENE. Inasmuch as my former question did not go into the record, perhaps I might be permitted to ask this question for record

purposes. Is it reasonable to expect that three months would be the average period for getting the entire Army ready, would that include its going into the field or merely its final selection and organization?

Secretary BAKER. The method of selection only. I do not at all mean that three months after the passage of the bill there would be assembled at any place the 500,000 drafted men, but merely that the process of selection would be then perfectly worked out.

Mr. SHALLENBERGER. Could you give your opinion as to how long it would be before the 500,000 men would be raised under your system?

Secretary BAKER. Assuming they were sought to be raised as early as possible, they would begin to assemble within two weeks after that three months and be all assembled within four weeks after the three months.

(The committee thereupon took a recess until 8 o'clock p. m.)

AFTER RECESS.

Mr. KAHN. Mr. Secretary, just to diverge a little from what I was asking about when we adjourned, I have had a great many requests for information as to what is meant by "selective draft." I have given such a definition as I thought proper, but I would like to have from you officially for the record a definition of what you mean by selective draft.

Secretary BAKER. I do not know that I am particularly ready at making off-hand, exact definitions, but I will try it. A draft is the exercise of the peremptory power of the State to summon into the service of the State such part of the population as is determined by the political authority to be proper for the task involved. As applied to military matters the draft is the summoning by the superior power of the State of men of suitable military age into the military service. A selective draft is a draft in which, in addition to summoning available military material, the Government exercises the principle of selection so as to exclude some who would otherwise be chosen for reasons of the convenience of the Government or such other reason as the selecting power determines.

Mr. KAHN. That is practically what I wrote in answer to the inquiries I had, but I probably did not go into it as fully as you did.

Mr. FIELDS I think that is a mighty clear off-hand definition, Mr. Secretary.

Mr. KAHN. It is, indeed.

Mr. Secretary, according to the letter you sent to the committee on April 10, you now intend to secure by volunteering 724,718 men in addition to those that you already have in the National Guard and the Regular Army?

Secretary BAKER. I do not understand that to be so.

Mr. KAHN. Did you see this letter, Mr. Secretary?

Secretary BAKER. Yes; it includes elements which I had not in mind at the moment. That is correct.

Mr. KAHN. So that the opportunity for volunteering will be very large, indeed; much larger than you thought would be possible at the time you first appeared before the committee?

Secretary BAKER. Much larger.

Mr. KAHN. I am exceedingly anxious, as are most members of the committee, in fact I think all the members of the committee, to get

a unanimous report on this bill. Do you think that if we could agree on a compromise to the effect that you shall get these 724,718 volunteers on the basis of 500,000 to enlist as individuals and 224,718 possibly as units not exceeding in strength a regiment; and concurrently with their coming in we should also inaugurate a system of conscription, do you think that such a proposition which possibly would meet the approval of all the members of the committee would be finally accepted?

Secretary BAKER. It would have to be accepted if you did it, but I would regard it as unfortunate.

Mr. KAHN. You would?

Secretary BAKER. Yes.

Mr. KAHN. In what way?

Secretary BAKER. It confuses the plan of volunteering with the plan of conscription. To the extent that the 724,000 to whom you refer come in as normal extensions of the existing arrangement—that is, by simply recruiting the Regular Army and the National Guard to war strength and building up a reserve for them in the way already provided by law, I see no special objection to it; but if you undertook to add to that a new element in the Army which would be volunteering by aggregation, I think you then have four elements in the Army—the Regular Army, the National Guard, a volunteer force, and a conscripted force.

Mr. KAHN. Of course, personally, I should like to see the plan which you have submitted adopted. I think it is the soundest and the safest of the policies. I imagine from my conversations with my colleagues that there are many units that are being drilled throughout the country to-day in anticipation of coming in as units. Would it be possible, if they were allowed to come in as units, to have a rigid examination as to the qualifications of the officers who command them; would that be possible?

Secretary BAKER. Oh, yes.

Mr. KAHN. So as to weed out the unfit.

Secretary BAKER. Oh, yes. Of course, you know, however, how undesirable that is, Mr. Kahn.

Mr. KAHN. Oh, I am fully aware of it.

Secretary BAKER. When the National Guard was called into the Mexican service last year, I think probably the greatest outcry there was in the country was upon the rejection of officers in the National Guard, and the War Department was—I do not like the word “suspected”—but it was thought in many places that an effort was being made by officers of the Regular Army to break up the guard by disorganizing its officer force. That would, of course, be repeated.

Mr. KAHN. Naturally. By enlisting the men singly, do you think you can get anywhere near the approximation of 724,000?

Secretary BAKER. I have no information upon the subject and have no data upon which to base an estimate.

Mr. SHALLENBERGER. Mr. Secretary, there is one matter I would like to have cleared up somewhat and get your judgment about, and that is the question of exempting the married men in this call. As you are doubtless aware, Great Britain in her administration of affairs and in the management of the war in their first act, the one which we discussed here, exempted the married men, and the later act passed last May, just a year ago or almost two years after the war, then took

in the married men. I was told by a British officer since we had our last meeting that Lord Derby stated—although this officer did not agree that his figures were exact—but the statement of Lord Derby, who had charge of the entire recruiting of Great Britain, was that about 900,000 men were all that were left of military age suitable for service when they abandoned his plan and took up first the matter of compulsory service, and even at that stage they still exempted the married men, because of the fact of not only relieving themselves of that work and responsibility, but also the very heavy expense of taking care of the dependent families. In fact, one of the officers told us in a joking way that it was a common saying that if a man had a big enough family he cost Great Britain as a private more than a brigadier general. In the estimate which was given us as to the cost of the Army, which is on page 164 of the record, they have put in an estimate of \$144,842,580 as the cost to the Government for one year of the dependent families at an average of \$15 per month for each family.

Secretary BAKER. Yes.

Mr. SHALLENBERGER. And if we could eliminate a thing like that, in view of the fact that we will get tremendously more men than we are going to want in the first place, could we not in our first law eliminate a tremendously perplexing thing to administer and at the same time save the country a great deal of money if we made such an exemption in this act? What do you think about that?

Secretary BAKER. Of course, the exemption can be made either way, either in the terms of the act or as an administrative measure, and I have no choice about it. I think it is probably better not to put it in the statute, but to leave it with some flexibility in the War Department, because there are a very substantial number of married men in the country who have gotten married between the declaration of war and the present time, for instance.

Mr. SHALLENBERGER. We could except those, of course, by doing as Great Britain did.

Secretary BAKER. And there is a presumption, at least, of marriage in anticipation of service.

Mr. SHALLENBERGER. They exempted those who were married six months before the passage of the act.

Secretary BAKER. Yes; and then, of course, there are a large number of married men in the country whose families are not dependent on them—young men who have inheritances and accumulations.

Mr. SHALLENBERGER. Yes; I understood your argument about that. Furthermore, is it not a fact that you have already authorized the discharge of married men from the National Guard?

Secretary BAKER. Yes.

Mr. SHALLENBERGER. So you are really working under that policy now?

Secretary BAKER. Yes.

Mr. SHALLENBERGER. And I wanted your judgment also, because, as a matter of fact, in applying something that has never been tried before in this country and which is likely to cause a good deal of dissension at first, could we not eliminate a tremendous amount of trouble by exempting married men under the law?

Secretary BAKER. Of course, you mean exempting married men whose families are dependent upon them?

Mr. SHALLENBERGER. Would it not have the effect of eliminating a tremendous amount of dissension?

Secretary BAKER. It might have that effect.

Mr. SHALLENBERGER. But you are not prepared to say we ought to do it?

Secretary BAKER. I am perfectly willing to agree that it would be an entirely proper thing to put it in the act, but I would suggest that if you do that the obligation of service of married men simply be a deferred obligation rather than an exemption by statute.

Mr. SHALLENBERGER. So far as the application of the law is concerned, I am speaking now altogether of the matter at issue here, and that is the matter of the draft. It is fair to say that the question of universal service—that is, universal training—is not in this bill; in other words, the men who come in under the draft system are all going to come in with practically the same amount of experience as soldiers, and they are all going to be trained afterwards?

Secretary BAKER. Yes, sir.

Mr. SHALLENBERGER. So that a fact which is very apparent in the systems of those nations where they have such service is not apparent here, because in all the countries of continental Europe having universal military service, the young men were under arms and therefore trained to fight and they immediately went into battle, and as the additional classes were needed they were called out and the youngest one were first called out because they were closest in training and therefore made the best soldiers, but that is practically eliminated in the country because of the fact that they will all come in with equal knowledge as soldiers, and I notice in the record here on page 142 Mr. Lunn asks you directly as to exempting the men above 25. His question to you is:

Mr. LUNN. That, it seems to me, is what we are doing now.

Your reply is:

Secretary BAKER. We are going to enroll all the boys between the ages of 19 and 25 years and then choose by lot, getting some 20 years old, some 21 years old, and so on.

Mr. LUNN. Why not make the limit 40 years?

Secretary BAKER. We would then be interfering too much with the industries.

Mr. LUNN. It is not a class of boys 19 years of age, but a class composed of men between the ages of 18 and 25 years?

Secretary BAKER. That would be the effect of the operation of this draft. A man will draw Lot No. 1 and that man would go with the first 500,000 troops, while the man who drew Lot No. 2 would go with the second 500,000 troops.

Mr. LUNN. Men from 25 years up would be entirely eliminated from any possible conscription?

Secretary BAKER. Yes.

Now since a man 30 years of age is just as good military material as a man 25 years of age, the idea of the War Department must be as you have stated it, that eliminating all these men from 25 to 40 years is done because you do not want to disturb the industries; is that a fair inference?

Secretary BAKER. That was the controlling consideration in fixing the maximum age limit.

Mr. SHALLENBERGER. I live in an agricultural State. Have you taken in consideration that the best age for farm labor and the age at which we get the most out of the men and when most of them are

so employed is just the age you are taking. It is before they are 25 years of age that the average farm boy in the State of Nebraska works on the farm. The great mass of the farming in America is done by the sons of farmers and the farmers who have more sons than they can employ on their farms hire them to other farmers. In other words, in this draft you are taking the laborer who is most essential to farming, and I have seen more stuff in the newspapers in the last three or four days about the tremendous necessity for this army of food producers than anything else. Do you not think that is going to deter that industry tremendously, if we simply draft them from 19 to 25?

Secretary BAKER. I think there is that danger unless it is corrected. The Council of National Defense has considered very earnestly that whole subject. The Secretary of Agriculture is considering it, the Secretary of Labor is considering it, and the whole problem of farm labor is very much on all of our minds. Our method of trying to redress the balance is wherever necessary to exclude the necessary laborer on the farm, and by a system of furloughs, if it can be arranged from the training camp, to provide the surplus labor needed at the peak load of farming operations, which, of course, comes to its greatest point at the harvest season. I think there is, however, much in what you say, although my own experience is the other way. As a farmer, my own personal experience is that the most valuable laborer on the farm which I happen to be casually interested in is the old men and young boys, and it is almost impossible to get any help between the ages of 19 and 25 to work on the farm. That is the particular age when they drift to the cities. That is my own experience on the farm with which I happen to be acquainted.

Mr. SHALLENBERGER. I think in the older part of the country that is very true. The boy does not become a farmer for himself and is apt to be attracted to the city before he is 25 years old. There is another point at which they think this bill is going to especially affect agriculture; and that is, you are opening up the doors of enlistment and the greater number of boys who enlist, according to our population, will be in the farming sections and such enlistments will be especially numerous. It has always been so because the Army is more attractive to them than anyone else for two reasons. The first reason is because the salary the Government pays is more nearly like that they get on the farm, and the second reason is because the life of the barracks and all that sort of thing is much more attractive to the boy in the country than to the boy in the city.

Now, the man you are particularly interested in, in the manufacturing industry, is the man who is a skilled artisan, a man getting a big wage and all that sort of thing. I have had several manufacturers come to me and portray to me the terrible disaster that is going to come to them if we have volunteering and these highly skilled men go out of their establishments. They state they would be practically ruined and would have to shut up and all that sort of thing. On the farm there is not that danger, because one man is just about as valuable as another in performing the ordinary labor upon a farm. Of course, there is some difference, but there is not a tremendous difference between them. And therefore we have no way of selecting them and saying that one man is especially valuable for farming and

another man is not, because they are practically all the same, and I do not see how you can exempt them when you go to make a selection unless you exempt them as a class.

Secretary BAKER. I do not think you can exempt them as a class; but I think it would be possible to have an intelligent board, presided over, say, by a probate judge, who would, with the aid of the intelligent men of the community and with the farmers giving them their advice and assistance, determine just how large a part of the men on the farms ought to be left there, and by a perfectly arbitrary process exclude from the enrollment enough men to operate the farms, and let them be under some kind of obligation to work, not only on their own farms but on their neighbors' farms, and make a community matter of getting in the crops.

Mr. SHALLENBERGER. One thing which I think is going to make this bill very difficult of getting received well by the public is the matter which Mr. Lunn brought out, and that is, with 22,000,000 men, in round numbers, every one of them owing the Government exactly the same service and every one of them fitted in the same way to be soldiers, because none of them have had any previous training, we are going by the passage of an act make 15,000,000 of them, we will say, exempt from having to serve the country in any way at all, just as though they were in China or some other country, because we do not propose to draft them at all under this bill.

Secretary BAKER. Your choice, however, is between two evils, so far as that particular object is concerned. One is to determine which classes of people can best be spared, from the Government's point of view, and the other is to let some sort of individual impulse determine that. Now, if the volunteer system does what its proponents claim for it, to resort to the volunteer system would be to take out of the 22,000,000 the 500,000 best men, rather than 500,000 average men.

Mr. CALDWELL. Will you explain what you mean when you say the Government's point of view?

Secretary BAKER. I mean from the point of view of those who are most valuable to the Government or to the common good in other occupations.

Mr. CALDWELL. You do not quite understand me. You said back there, if the stenographer will read it—

Secretary BAKER (interposing). It will not be necessary for the stenographer to read it. I can repeat exactly what I said in the same words. I said we are between two evils, in answer to that particular question. We want a certain number of men. On the one hand, we can allow the Government to choose which classes of persons can be best spared from other occupations for this particular service, and, on the other hand, we can allow some sort of individual choice to determine that.

Mr. CALDWELL. I think you stated it just a little bit differently, because it is now perfectly clear to my mind; and I have no doubt that is what you intended to say, but I understood you to say "from the Government's point of view," and I wanted to know who the Government was; that is all.

Secretary BAKER. I was trying to make it a community point of view rather than an official point of view.

Mr. SHALLENBERGER. The point I was wanting your opinion about, Mr. Secretary, and the one which I think is the most difficult to those of us who live in my locality and in the country and the most difficult one we will have to deal with, is the fact that in an agricultural State we do not have this highly skilled labor which will be excused; and there seems to be a disposition to create a feeling in the country that this draft is warranted because the Government is going to be required to exempt these highly skilled men, etc., from this service; and that in order to save those men or at least to save their selection we are exempting a whole class of citizens, a great many millions of men, because there are more of those men than the others. Now, then, when my farmer neighbor out there sees his boy drafted or selected, however it may be, I will have a hard time to convince him that a man who has been exempted and who is living at home and getting most extravagant wages is offering anything like the same sacrifice as the man who has to have his boy go, or the boy himself who goes.

Secretary BAKER. The difficulty is one of language rather than one of idea. It would be very unfortunate, I think, to allow it to be understood that mere quantity of skill was to be a basis of excuse.

Mr. SHALLENBERGER. I understand that.

Secretary BAKER. The most skillful maker of pearl buttons for ladies' waists in the world—

Mr. SHALLENBERGER (interposing). He would not be exempted. I understand that.

Secretary BAKER. He would not be exempted, while a man who only had a tithe of his skill at farming might very well be necessary to be exempted; and the reason I am very strongly inclined to believe we ought not to put exemptions by classes in here is that I want to prevent exactly that arraying of class feeling in the country and the notion going abroad that the war is to be fought by some classes and that other classes are to be exonerated from its burden.

Mr. SHALLENBERGER. The question that appeals to me, and the one that is going to be difficult for us to defend in my country, is this very claim that is made that the food producer is rendering a tremendous service to the country now—and he is, of course, tremendously essential—and yet at the same time I know from my own experiences that my farming operations are making more money for me than I have ever secured from the same effort and on the same land before; and if you exempt the farmer because he is so tremendously essential you at the same time render him a tremendously great service in enabling him to make a tremendous profit out of his situation.

Secretary BAKER. The effect of such an exemption would instantly be to convert a very large part of the population into farmers.

Mr. SHALLENBERGER. Yes; I have discovered that there are more people who want to raise food or something of that sort than ever before; in other words, most everybody seems to be willing to do anything except fight and pay taxes in this war. That is the problem as it presents itself to us.

Secretary BAKER. I realize the difficulties of the problem. I think they are largely difficulties of explanation rather than of intention in the bill itself.

Mr. SHALLENBERGER. I do not think there is any such intention, but the problem of standing for the issue just as it comes to us is what I am referring to; that is all I have to ask.

Mr. GORDON. Mr. Secretary, the principle of universal liability to service is really the underlying principle upon which men volunteer for military service, is it not?

Secretary BAKER. I do not think so.

Mr. GORDON. Well, upon what theory would you explain the fact that a man getting \$20,000 a year would enlist for the term of the war for \$13 a month except that he owed an obligation to the Government?

Secretary BAKER. I think that is a confusion of terms, if you will pardon my being apparently abrupt about it. Universal liability to service is a universal legal liability to service, and no man who volunteers volunteers because of the legal obligation, but because of the moral obligation, which is the product of the operation of his conscience upon a state of facts.

Mr. GORDON. Of course you do not mean there is any universal liability to service legally?

Secretary BAKER. Oh, absolutely.

Mr. GORDON. I thought that is what we were passing this law for.

Secretary BAKER. No; you are passing the law to put into legal operation a part of a preexisting legal state.

Mr. GORDON. I do not see that. I supposed we passed laws because there was no previous law.

Secretary BAKER. There can not be any question about that, I think.

Mr. GORDON. It is perhaps a confusion of terms, but it seems to me the reason we are passing this law is because there is no legal obligation to force a man into service now, and therefore we are creating that legal obligation.

Secretary BAKER. I quite agree with you now. There is no law now to coerce men into the performance of what we all agree is an inseparable incident to their citizenship, namely, their legal obligation to service.

Mr. GORDON. Then does not the omission of persons above 25 years of age violate this principle?

Secretary BAKER. No; I do not think it does. If I may use an illustration which is somewhat faulty as an analogy, we are all certain to the liability of death, but we do not all die at the same age. We die at different ages.

Mr. GORDON. But the question confronting Congress is to raise men for this particular war.

Secretary BAKER. Exactly.

Mr. GORDON. The term of their service is to be limited by the law to the period of the war.

Secretary BAKER. Exactly. The problem of Congress is to take—

Mr. GORDON (interposing). And assuming there is a treaty of peace, that legal obligation terminates.

Secretary BAKER. The volunteer system would violate the same obligation, because Congress is now going to provide for raising roughly 1,000,000 men. If the legal obligation exists upon 22,000,000

men, you are going by force to exclude 21,000,000 men by saying that after you have obtained 1,000,000 men you will not take any more.

Mr. GORDON. I do not quite see that. I take it that if this universal obligation exists it exists upon all alike. A call for volunteers is an invitation to all to come, and we take everybody of military age.

Secretary BAKER. No; quite the contrary. We take as many of military age as we desire, and after we have gotten as many as we desire we decline the rest.

Mr. GORDON. Of course, that is true; but what I meant was, so far as the necessity of the Government required, we take all who come who are of military age.

Secretary BAKER. That is on the volunteer theory. On the other theory we take all we desire who are of that age, whether they come or not. It is the difference between their coming and our going and getting them.

Mr. GORDON. Do you not think that being in a state of war now with the greatest military power on earth it is incumbent on the Government at the earliest possible moment to provide trained men?

Secretary BAKER. Absolutely.

Mr. GORDON. Would not that object be accomplished more readily and more speedily by a call for volunteers?

Secretary BAKER. I do not think so.

Mr. GORDON. Well, it would not be delayed. If this draft provision were inserted, I understood you to say it would take at least three months to install it, and during that time could not these men who did volunteer be trained? My question is this: Your idea is that if you draw these men out of a jury wheel you get better soldiers than if they come forward voluntarily?

Secretary BAKER. Of course, I do not mean quite that, although I mean something like that. I mean the mere fact that a man is moved to believe that he is a soldier is not conclusive evidence of the fact that he is a soldier. For instance, the most fervent offer of service I have had, or the two most fervent offers I have had since I have been Secretary of War, are from two men nearly 80 years of age apiece, and yet I think this company would agree, in spite of the fact that one of them bears a name as distinguished as any now living in the American Army, that in all likelihood his age would prove an infirmity.

Mr. GORDON. Of course, I was confining my questions to persons of military age and physically fit, and that age under our statute is between 18 and 45. I think myself, with all due deference to the opinion you express, that if you have two men, one of whom comes willingly and the other reluctantly, everything else being equal, the willing volunteer will make the better soldier. I believe that that can be established by all the history that is available upon the subject.

Secretary BAKER. Mr. Gordon, let me ask you a question on that same subject: Do you think that a man who comes into the Army as the result of selection of the kind here provided is likely to prove a less valuable soldier than a man who comes in unwillingly, but because he is ashamed not to because of what some other persons think about his conduct?

Mr. GORDON. I would not agree with you that the volunteers come because they are ashamed.

Secretary BAKER. I do not want to be understood to say that everybody who came would come from that motive; but I think it is an incontrovertible fact that, in every country where large numbers of men have been secured by volunteering, a very large number of the volunteers have come from what appears to be that sort of pressure.

Mr. GORDON. Oh, I agree with you that that is true and that there is some pressure exerted under the volunteer system where a very large number of men are required.

Mr. GARRETT. Except in the Spanish-American War.

Mr. CALDWELL. I hope the Secretary does not think we are trying to get men who are ashamed to stay out?

Secretary BAKER. I do not think that, Mr. Caldwell, but I think, with great deference, that you are unaware of the extent to which compulsions of that kind have to be resorted to to make the volunteer system produce a large number of men.

Mr. CALDWELL. I hope you will get that idea out of your mind, because we have read, perhaps, just as much history upon that matter as you have.

Secretary BAKER. But you have not read it with as much belief as I have.

Mr. CALDWELL. No; because we did not start out with somebody telling us where we should put our peg.

Mr. GORDON. Mr. Secretary, I understood that one of your objections to giving the volunteer system a trial was that we would thereby avoid the odium that would attach to those who failed to volunteer. Have I stated that clearly?

Secretary BAKER. I am trying to recall just which one of the reasons I gave that is very nearly that. I think I did say—and I am perfectly willing to say—that I think an Army mixed of volunteers and conscripts creates a bad division in the Army.

Mr. GORDON. And yet it is proposed to raise 724,000, including all those already in the service, by the volunteer system?

Secretary BAKER. Seven hundred and twenty-four thousand, exclusive of those now in service. Including those now in service it would be 978,830; that is, it is proposed to raise the regular and established branches of the Army by the usual processes, but to create the new force by a different process.

Mr. GARRETT. If the present bill passes, Mr. Secretary, and the volunteers should not come promptly to make up the 724,000, the new system would be put into force, I take it, to fill up those places at once?

Secretary BAKER. Yes; and would have that same unfortunate result.

Mr. GORDON. Do you not think this universal obligation to military service is fully satisfied by the citizen permitting the Government to control his action and conduct after he is actually in the service rather than before?

Secretary BAKER. It is as to the individual who is in the service, but it is not as to the man who is not in the service.

Mr. GORDON. Of course, it is the theory of the volunteer system that until a man enters the service he is not subject to the orders of the Government.

Secretary BAKER. Of course that is a fatally vicious theory.

Mr. GORDON. Well, I do not know about that, Mr. Baker.

Secretary BAKER. There is a very great difference between a man not being subject to the orders of the Government, which is a state which exists nowhere in the world, so far as I know, either in fiction or in fact, except as to Robinson Crusoe, and a man being subject to the orders of the Government but not yet having received an order.

Mr. GORDON. I thought there was some sort of principle in this country, of which one Thomas Jefferson was a strong advocate, that the Government had no right to interfere with the personal liberty of the citizen except in so far as it was necessary to protect society from any wrongdoing upon his part?

Secretary BAKER. A theory in which I am a firm believer.

Mr. GORDON. Then it would seem to me that this idea that the Government can go out, except upon the reasoning that every man of military age owes the obligation to defend his country in time of war—that the Government can undertake to control his conduct for any other purpose than that of defending the Nation, it seems to me, is involved in this very proposition of selective draft.

Secretary BAKER. No more than a perfectly similar identical proposition would be with regard to another state of fact which, if you applied Jefferson's maxim to it, as you are now applying it to the military situation, would be equally true, to wit: That the Government had no right to levy a tax upon anybody so long as the rich and philanthropic persons were willing to bear by voluntary contribution the expenses of the Government.

Mr. GORDON. Well, of course, one deals with the person and the other with property, and we have certain safeguards to protect the person that have no application as to property.

Secretary BAKER. And yet the whole philosophy of modern politics teaches us that we have drawn that distinction too sharply; that we have interefered with people's property rights so as to actually take life, in denying them the right to live, and we are learning that that distinction is less substantial than it used to be.

Mr. GORDON. I understood you to say a while ago that you were not prepared with the processes and equipment of the Government to take care of 1,000,000 men now, if I understood you correctly, and some one asked you why it would not be better to call for volunteers while this drafting system was in process of construction, and I understood you to reply that the Government was not equipped or had not the necessary processes to start training the men. Is that correct?

Secretary BAKER. I said we were not now in a situation immediately to take care of 1,000,000 men.

Mr. GORDON. Are you prepared to take care of 500,000 men within a reasonable time?

Secretary BAKER. Oh, yes.

Mr. GORDON. You believe, Mr. Secretary, that it is important to keep the military subordinate to the civil authority, do you not?

Secretary BAKER. Yes.

Mr. GORDON. Is it your notion that this bill does that?

Secretary BAKER. Yes.

Mr. GORDON. What legal protection for the citizen is there under this provision?

Secretary BAKER. The whole thing is operated under a civilian who is the commander in chief. He acts immediately by a civilian who is the Secretary of War.

Mr. GORDON. Is that your understanding of subordinating the military to the civil?

Secretary BAKER. I think that does subordinate the military to the civil.

Mr. GORDON. In time of war it puts the whole thing under the Army.

Secretary BAKER. It puts it under the President and the Secretary of War, whose orders are absolutely superior to those of any military authority whatever.

Mr. GORDON. This draft system is an invasion of the right of the personal liberty of the citizen, and we have always been taught to believe in this country that the court must determine the validity of the restraint of the individual citizen, and there is no provision in the bill for any such determination by the court.

Secretary BAKER. There never is any such provision in any bill. There never has been in any law any provision that authorizes the civil courts to interfere with the processes of a court-martial.

Mr. GORDON. But a court-martial only applies to persons actually in the military service.

Secretary BAKER. Exactly; and this law will only apply to persons who are in the military service.

Mr. GORDON. But it will apply to persons whom you are trying to put into the military service and who claim they are exempted.

Secretary BAKER. I have already said to some member of the committee who interrogated me that I have not the slightest objection to the writ of habeas corpus or any other civil process being in the hands of the civil courts to determine all questions of fact with regard to the inclusion of anybody who has the right of exemption. I have not the slightest objection to that.

Mr. GORDON. I am very glad to hear you say that. I did not understand that. The English act does that, as you know.

Secretary BAKER. Surely; and I would not break down one of those safeguards.

Mr. GORDON. I notice a provision in this bill, at the bottom of page 11, that the men in the National Guard may be transferred to the Regular Army, and vice versa, but not to the drafted forces. Is there any special reason for that provision?

Secretary BAKER. I do not happen to recall that paragraph. What line is it?

Mr. GORDON. Beginning on line 20:

All voluntary enlistments shall be in the Army of the United States, and those enlisted may be assigned upon enlistment to any force of said Army not required to be raised exclusively by selective draft.

That is to say, a man may enlist, if I understand that language, in the Regular Army or the National Guard, and may be assigned to one or the other, but not to the force raised by selective draft. I do not understand the reason for that.

Secretary BAKER. I have no desire to have it in. It was left in solely because it was thought that members of the National Guard would not want to be transferred against their will to some other force. It is a safeguard to the National Guard.

Mr. GORDON. But they can be transferred against their will to the Regular Army

Secretary BAKER. Yes; the Regular Army is a smaller force. I have no particular desire to have it that way. It seems to me that it must have been left in purely as a safeguard to the National Guard. I can not imagine any other reason.

Mr. GORDON. Is there any objection to striking that out?

Secretary BAKER. Not on my part. My impression is it will reassure the guard to leave it in, and I would rather you would leave it in for that reason, because I am very anxious to avoid anything that would suggest or indicate that there is any purpose to prejudice or interfere with the guard.

Mr. GORDON. Then the way to reassure the guard would be strike out the provision authorizing their transfer to the Regular Army, it would seem to me.

Secretary BAKER. I have no objection to that.

Mr. GORDON. I think I understood you to say—

Mr. CALDWELL (interposing). I think, Mr. Gordon, you have missed the thought there. That means the new enlistments that come in may be sent to either one of those places.

Secretary BAKER. That is, the recruits.

Mr. GORDON. Yes; after they are in. You can enlist in either force and then be transferred from one to the other.

Secretary BAKER. No; that is not the point. What Mr. Caldwell has discovered and what I did not take time to examine in the act is that after the forces are all raised this act provides that there will be a recruiting depot kept in each place to supply the wastage and to keep the number up to war strength, and such persons as volunteer at those places may be assigned either to the Regular Army or to the National Guard, but not to the drafted force which is to be kept full by draft.

Mr. CALDWELL. That is the way I understood it.

Mr. GORDON. There is another provision here in this bill, as I recall, providing that all the enlisted forces shall be known as the Army of the United States, which would seem to me to be an attempt to convert them all into one army.

Secretary BAKER. I think it is desired—and it seems to me desirable—not to have distinctions in the Army which will create class prejudices of any kind. I think a homogeneous army is likely to be more effective.

Mr. GORDON. But I understood you to say, Mr. Secretary, that you had no serious objection to these Territorial enlistments.

Secretary BAKER. I have no objection; nor to the preservation, as far as it is possible, of the State designations.

Mr. GORDON. And even local designations.

Secretary BAKER. And even local designations, if possible.

Mr. GORDON. It seems to me that that is a very valuable thing in an army, and all the European armies, without exception, have retained that principle.

Secretary BAKER. They have retained it to such an extent that sometimes a regiment now will have as many as 25,000 people in it just to keep the name of a favorite regiment. They have abolished the grade of major general in several countries because regiments have actually now become numerically equal to brigades, and rather

than create new regiments they have kept up the pride of regimental organization and achievement; and in this country we have a substantial number of organizations which have long and honorable histories and traditions, and a great deal of pride centering around them, and I think it is a very valuable thing to preserve that.

Mr. ANTHONY. Mr. Secretary, you say we are confronted by a great emergency and need to assemble a large force of men for the defense of the country and the conduct of this war. It seems to me there are two objects we want to achieve. We want to get an efficient army to fight an efficient war, and at the same time we want to make it a popular war with the people. Do you not believe that if we meet what is evidently the desire of the people now it will go a long way toward making the war popular?

Secretary BAKER. I think popularity in war depends upon success, Mr. Anthony. The thing that succeeds is the thing that is popular.

Mr. ANTHONY. In all the wars we have ever fought which have been successful, we have utilized volunteers. It is distinctly the American way in which to raise our armies. Do you think it is fair to assume that that plan would be a failure in advance of its trial?

Secretary BAKER. I think your question, if I may say so, involves an assumption which I should have to dispute in order to answer the question. It assumes that the volunteering method wherever relied upon in our history has been a success, which is not so.

Mr. ANTHONY. Where has it failed?

Secretary BAKER. In the Civil War.

Mr. ANTHONY. Did it not furnish us with practically 95 per cent of the troops that fought that war successfully?

Secretary BAKER. Yes.

Mr. ANTHONY. Now, as a matter of fact, Mr. Secretary, have not all the evils of the volunteer system about which you complain and about which other gentlemen who have discussed the subject here complain, largely pertained to the method by which a volunteer force was officered, and not to any inherent evil in the volunteer Army itself?

Secretary BAKER. I think there has been a good deal of complaint that has been due to the method of selecting officers by popularity rather than by any efficiency test.

Mr. ANTHONY. And is it not a fact, Mr. Secretary, that in every proposal for the organization of a volunteer army, almost entire authority has been reposed in the War Department and the President in the selection of proper officers so that those evils can not be charged in advance against the volunteer army which we now propose?

Secretary BAKER. I think to the extent that the act of 1914 deals with that subject, it is distinctly an advance over the old method of officering volunteers.

Mr. ANTHONY. What other evil attaching to a volunteer army can you possibly suggest, other than that of the political selection of officers?

Secretary BAKER. An indiscriminate interference with the business and industrial and social life of the community; the needless agitation and fretting of the public mind in order to get men to enlist and a campaign of hatred toward the enemy which produces a low

moral tone in a community but is necessary to secure enlistments. Those seem to be the principal ones.

MR. ANTHONY. As a matter of fact, are any of those things which you have enumerated absolutely necessary in the organization of a volunteer army or in the securing of volunteers?

Secretary BAKER. They have been necessary in every country which used the volunteer system in the present war.

MR. ANTHONY. Is it not a fact that you are making a comparison of volunteer armies that have been raised in the present war and the countries with which you now compare ours have been put to a much more severe stress than this country would be put to in order to raise the necessary number of volunteers?

Secretary BAKER. I do not know. I wish I could feel certain that that is so.

MR. ANTHONY. You know, for instance, that England raised 5,000,000 volunteers before she resorted to the draft, and would it not be reasonable to suppose that we could raise 1,000,000 volunteers before being put to the necessity of going to the draft system?

Secretary BAKER. Well, Mr. Anthony, Canada is our nearest neighbor, and perhaps is more closely assimilated to us in reference to its citizen body than any other country with which we can form an analogy, and the recruiting processes in Canada have not been free from the objections we have been commenting on.

MR. ANTHONY. One of the things I object to is the fact that the volunteer principle—and I am only advocating the volunteer principle as a part of our military program, and I am willing to concede you all you ask for in the way of conscription if you will give our population a chance to raise a portion of the forces by a volunteer method, but I object to the way in which you and the department say in effect to the country, "We are giving you a volunteer army; we are meeting the wishes of the country and giving you a volunteer army," in speaking of the permission you give to individuals to enlist in the Regular Army or in the National Guard. Now, you know that that is not our idea of what constitutes an American Volunteer Army, do you not, Mr. Secretary?

Secretary BAKER. I think the only difference between us, Mr. Anthony, is that every advocate of the volunteer system with whom I have talked is an advocate of trying it first to see if it will work, but putting the rod in the same pickle so you will have compulsion along with it if it does not work. I have not talked with anybody who is willing to rely solely on the volunteer system.

MR. ANTHONY. Is it not a fact that the only way you can recruit a volunteer army is to recruit it by local units? Has not that always been the system that has been followed in America?

Secretary BAKER. I can not answer that. I do not know what the historical facts are.

MR. ANTHONY. I would say that it is so far as I can understand.

Secretary BAKER. So far as I know that is so.

MR. GORDON. Without exception that is true, not only in this country but in Canada.

MR. GREENE. I will simply remind you that in 1899 we raised some twenty-odd regiments of volunteers and they were raised by a general Federal plan.

Secretary BAKER. They were the Philippine occupation regiments.

Mr. ANTHONY. That is true; but they were raised from the remnants of other regiments, the so-called immunes and other special regiments.

Mr. GREENE. No; they went to the Philippines on special service, and were volunteers from the country at large.

Mr. ANTHONY. But as a general rule we recruit them by States and the States recruit them by organizing companies in various localities.

Now, Mr. Secretary, is it the attitude of the department that you are unwilling to consider the immediate organization of this additional army of 500,000 men that you are asking for unless you can get it in the way you want it?

Secretary BAKER. Why, of course not.

Mr. ANTHONY. Then, why has your department practically suspended all activities toward at once increasing the United States forces in view of the present emergency?

Secretary BAKER. I do not know that the department has suspended them.

Mr. ANTHONY. You are accepting individual enlistments for the Regular Army and the National Guard for the present units of the National Guard. Why do you not permit the States to organize the regimental organizations of the National Guard to which they are entitled?

Secretary BAKER. The States are permitted to raise additional units.

Mr. ANTHONY. I read the other day that you had expressed a willingness to permit them to do that, but to-day an officer of the Kansas National Guard called at my office and stated that our State had not been allowed to do that.

Secretary BAKER. The matter was first called to my attention by this committee, and I had the Judge Advocate General's opinion on the subject, and he said I did not have the legal power to decline to allow the States to do that. I therefore instructed every State adjutant general who had made any inquiry about it what the law was and told him he had the power to do it. But I did earnestly urge upon him not to increase the number of regiments until the existing organizations in his State were increased to peace strength. There is scarcely a State in the Union, if there be one, in which the present recognized National Guard is recruited to peace strength.

Mr. ANTHONY. Why not get the framework of these organizations in process of construction now, if you are going to increase the National Guard to war strength?

Secretary BAKER. Because it seems to me an idle thing and a wrong thing to create the framework of organization, which means the ambitious officer material, and leave the recruiting of the privates to be a slow process, as is evidenced by the present lack of peace strength in the existing units.

Mr. ANTHONY. Then you practically assume that the States will not be able to recruit these new organizations up to the proper strength?

Secretary BAKER. I do not assume anything about it, but I simply take what they have done, and I believe it would be sounder to

recruit existing organizations to peace strength at least, before building up the skeleton of a paper organization for a new one.

Mr. ANTHONY. Is it perfectly fair, Mr. Secretary, to take the condition of the National Guard as it is to-day after its trying experience of the last year?

Secretary BAKER. The National Guard had no trying experiences last year. The National Guard was called out under circumstances more favorable than any military organization in this country ever encountered, and it did a service which was beyond criticism and deserves no criticism at the hands of this country; and it came back from the border a better-trained military force than we ever had in this country under any circumstances, outside of the small Regular Army.

Mr. ANTHONY. Now, Mr. Secretary, you say we are confronted with a great emergency, and you want this additional force of 500,000 men immediately, if you can get them?

Secretary BAKER. No.

Mr. ANTHONY. If there is a great emergency, why do you not want them immediately?

Secretary BAKER. I do not want them immediately, because we are not prepared to receive them and train them immediately, in the sense that that means day after to-morrow.

Mr. ANTHONY. Why are we not prepared?

Secretary BAKER. Because all the appropriations which Congress has voted hitherto to buy supplies have been consumed in the uses we have been obliged to make of our military forces.

Mr. ANTHONY. Why has not the department proper supplies for them?

Secretary BAKER. The department has repeatedly pressed upon the consideration of this committee larger purchases of supplies, and the committee has exercised what I have no doubt was a sound discretion on the facts at their disposal and authorized less than the department has asked.

Mr. ANTHONY. Now, Mr. Secretary, has there been a single expenditure for the troops on the border, the National Guard or the Regular Army, or since they were called out on the Mexican emergency has there been a single request for funds for those troops refused by Congress? If so, I do not know about it.

Secretary BAKER. I hope it will not be forgotten that Congress passed no appropriation bill for the Army last year, and passed no sundry civil bill at all. They have just now been passed, and I understand the President signed one of them to-day.

Mr. ANTHONY. I understood the department went ahead and made the necessary purchases anyway.

Secretary BAKER. Yes; that is true. We made as many purchases as we could, but, of course, we could not act with the freedom we could have acted with if there had been an appropriation.

Mr. ANTHONY. If the department had impaired the reserve equipment for 500,000 men which this committee was led to believe the department possessed, was it not the duty of the department to notify this committee that that reserve had been impaired?

Secretary BAKER. That harks back to a statement made the last time I was here with reference to a statement which it was said was made by Gen. Aleshire. That was before I came into the depart-

ment, and I know nothing about that controversy. But I say it not critically, but merely for accuracy, that this committee in its consideration of the appropriation bill last year cut very large sums out of the appropriation asked for by the Quartermaster General and recommended by the Quartermaster General; that the Senate in its consideration of that bill added some of it, but neither House allowed the full amount that the Quartermaster General asked.

Mr. ANTHONY. Mr. Secretary, there is a portion of the membership of this committee who, instead of waiting for four months, which you say it will take—or six months, which a number of us think it will take—to get this enrollment completed and your conscripted men in process of training, want to give you within 30 days practically an army of 500,000 men ready for training. What possible objection can you have to beginning the training of such an army, if it could be furnished?

Secretary BAKER. Within 30 days?

Mr. ANTHONY. Within 30 days.

Secretary BAKER. I think it would be an entirely impossible task, Mr. Anthony.

Mr. ANTHONY. That is, the commencement of it within 30 days, but not the entire 500,000?

Secretary BAKER. If you mean to inaugurate the machinery by which those men are to be assembled and to make a start upon the preparation of the cantonments—

Mr. ANTHONY (interposing). And to have a big percentage of them in 30 days.

Secretary BAKER. I think that is an impossible task.

Mr. ANTHONY. Well, assuming the men could be furnished to you as soon as you wanted them, what objection could you have to receiving them?

Secretary BAKER. None in the world.

Mr. ANTHONY. Then why not let us give you this Army of 500,000 men within two months instead of waiting five months?

Secretary BAKER. Because we will not be ready in two months, to start with, and I am earnestly asking you to give them to me when I am ready.

Mr. ANTHONY. We want to give them to you immediately, and I want you to explain to the committee why the training of those men can not be undertaken now. What is the reason for this delay?

Secretary BAKER. I will try to do that. In the first place, there is not a cantonment in this country.

Mr. ANTHONY. You do not mean to say you would need a cantonment? Why could they not go into camps?

Secretary BAKER. There are not enough tents to hold them, to start with, and there is no place within the range of my knowledge where the water supply and the sanitary appliances are prearranged. There are no officers to train any such number of men. There are no medical officers trained in camp sanitation. There are not enough uniform clothes for them to wear, and there is not enough food for them to eat.

Mr. ANTHONY. Mr. Secretary, then why can you not go as far as you have the capacity in the training of such an army?

Secretary BAKER. Of course, I can do that.

Mr. ANTHONY. What would be the objection to it?

Secretary BAKER. Not the slightest.

Mr. ANTHONY. Would the fact that you have not enough uniform clothing for the men be an absolute bar to the commencement of the training of the men at once?

Secretary BAKER. It would not be an absolute bar, but I think it would be a very unfortunate thing to have a lot of men training in civilian clothes.

Mr. ANTHONY. You have the arms for them, have you not?

Secretary BAKER. I understand so.

Mr. ANTHONY. And there are a large number of barracks and unused posts all over the country?

Secretary BAKER. There are a large number of barracks and some unused posts, but there are not very many and they would accommodate very few people as compared with the number you are speaking of.

Mr. ANTHONY. Have you any surplus of uniforms on hand at all?

Secretary BAKER. Yes.

Mr. ANTHONY. How many?

Secretary BAKER. I do not know the number.

Mr. ANTHONY. How long before the first deliveries on contracts will be made?

Secretary BAKER. I have not that date in my mind; but it will depend, of course, upon the President's signature to the appropriation bill. No deliveries can be made before the money is available.

Mr. ANTHONY. Would there be any objection, if this force could be raised, to permitting the States to commence their training and have them ready to turn over to you when you are ready to receive them?

Secretary BAKER. I do not think there would be any particular objection to the States beginning to train anybody they wanted to train if they had the means of doing it.

Mr. ANTHONY. You would furnish the arms and as much material as you had?

Secretary BAKER. Of course not.

Mr. ANTHONY. You would not?

Secretary BAKER. I can not. The law forbids it.

Mr. ANTHONY. If you had authority to do it, would you see any objection to doing it?

Secretary BAKER. I do not know just what you mean by that. Do you mean would I have any objection to the States beginning an independent system of training?

Mr. ANTHONY. You say you are not ready to begin the training of men, Mr. Secretary. You say you have not the supplies and have not the officers. Now, I have reason to believe that there are a number of States that could begin the training of men. If you are not ready, would you be willing to furnish those men with arms or furnish them the material you have?

Secretary BAKER. I must again question the facts. I do not believe there is a State in the Union that is prepared to begin the training of anybody without Federal aid both in training material and in arms and in equipment.

Mr. ANTHONY. Why are you not ready to begin the training? You say you have not the officers. What would prevent the detail

of half the officers of the Regular Army to-morrow with newly organized, raw levies of volunteers, should they be brought together?

Secretary BAKER. There is nothing to prevent that.

Mr. ANTHONY. Could not the National Guard spare a large percentage of its officers for training purposes?

Secretary BAKER. I doubt if they could spare them. They could be detailed.

Mr. QUIN. Mr. Secretary, I want to ask you about a concrete proposition in my own district, so as to answer my colleagues who are not on this committee. I have a district with about 75 per cent agricultural and about 25 per cent urban population. Under your system what would be the proportion of the draft to those people? Under a volunteer system I know a majority of them would go from the towns and the district would furnish its full quota and more, and of white people, too. What I want is a concrete idea as to what would be the result in getting them under the draft system in that district?

Secretary BAKER. I can only speculate about it, Mr. Quin. You say 75 per cent of your people are agricultural workers and 25 per cent urban or industrial workers?

Mr. QUIN. Yes.

Secretary BAKER. I should think it would be in the relation of three to one; three times as many from the agricultural as from the industrial, unless it should turn out that your industrial workers are engaged in indispensable industries, in which case some of them might be excused and disturb the balance; or on the other hand, if it were discovered that the agricultural people were indispensable, they might be excused and disturb the balance.

Mr. QUIN. They are simply town people engaged in various small industries. There is one big railroad shop in one town with about 3,000 employees.

Secretary BAKER. I should think it might very well be that a number of your railroad operatives would have to be excused. On the other hand, I can see very strong reasons for excusing some part of your agricultural population; so it might be a stand-off.

Mr. QUIN. Under your system would the whites and colored be about half and half? What would be the result of the draft?

Secretary BAKER. I am sorry I can not answer that.

Mr. CALDWELL. That is a very vital question. Have you not any idea on it at all?

Secretary BAKER. No; I have no idea on that subject.

Mr. CALDWELL. You understand, Mr. Secretary, that those of us who have lived in that country know that it is a question as to the women and children of that country which we must answer.

Secretary BAKER. I think you can rely upon the experience and knowledge of the administrative branch of the Government not to disturb that balance.

Mr. CALDWELL. Of course, we all have complete confidence in the administrative branch, but still this has not gotten to be an autocracy yet.

Secretary BAKER. The department is not asking autocratic power, but it is suggesting to you that you do not raise a needless issue.

Mr. QUIN. Now, Mr. Secretary, I voted for war and I made a speech on the floor for it, and I am going to support it in every way

possible. I have my own convictions that this army ought to be raised by the volunteer system. If they whip me on the floor, I am going to do everything I can to make your plan a success.

Secretary BAKER. We are exactly in the same situation.

Mr. QUIN. Now, I just want to know the effect. I have an idea that if your plan goes into operation that it ought to apply to all the people up to, say, 40 years. I have heard your answers on that proposition. We could get parasites enough, men who do nothing but who would make fine soldiers and have no dependents upon them, if we went up to 40 years of age; or perhaps we could get men who are bachelors and have no families depending on them. There are more than 500,000 of them; but under the draft system you would not apply that theory.

Secretary BAKER. We hope to apply it; and that is the purpose of making a selective rather than an arbitrary draft.

Mr. QUIN. Why can you not, Mr. Secretary, agree to putting in that bill a limit of 40 years or 45 years?

Secretary BAKER. I can only repeat my previous answer, Mr. Quin. When we were discussing that matter the advisory commission of the Council of National Defense, which is made up, as you know, of men drawn from prominent relations to industry, commerce, agriculture, and labor in the country, agreed—

Mr. CALDWELL (interposing). Is there anyone of military experience on that council?

Secretary BAKER. I will finish the answer to Mr. Quin and I will then answer Mr. Caldwell, and I will try to think of what experience they have had. They agreed that the age of 25 was as far up as we could safely go without getting into a class of skilled and indispensable workers. Now, I do not recall a single man on there who has any military experience that I know of.

Mr. NICHOLLS. Who is on that board, Mr. Secretary?

Secretary BAKER. Mr. Daniel Willard, the president of the Baltimore and Ohio Railroad, is the chairman of the board; Mr. Julius Rosenwald, of the Sears, Roebuck Co., I think it is; Mr. Howard Coffin, of the automobile industry; Mr. Samuel Gompers; Mr. Hollis Godfrey, a scientist, president of the Drexel Institute of Philadelphia; Dr. Martin, a surgeon of Chicago—

Mr. NICHOLLS. Without naming them all, what official capacity have they with the Government and who created this board?

Secretary BAKER. You did by the appropriation bill of last year.

Mr. NICHOLLS. But who named the men who are on it?

Secretary BAKER. The President selected them on the recommendation of the Council of National Defense.

Mr. NICHOLLS. I am asking purely for information, because it looks to me as though you should have one or two military men on it, if they are going to run a war.

Secretary BAKER. I am very glad to disagree with you. They are not running it.

Mr. QUIN. Now, Mr. Secretary, I am asking these questions as a matter of information to the men on the outside who are Members of Congress. What explanation can be put up for putting the burden on these men between 19 and 25 years of age to do the fighting when all these other men up to 45 years and after they are 25 years are left at home enjoying lucrative occupations?

Secretary BAKER. Two explanations, Mr. Quin, in my judgment. Experience shows that an enormous preponderance of men under any system who go into an army will be under 25; a perfectly enormous preponderance, so that you are selecting a class which experience shows naturally make armies; and the other answer is that men up to that age will be less indispensable in the industries of the country and will have formed fewer social and business engagements which will be disturbed by their diversion into the military service.

Mr. FIELDS. Mr. Chairman, I yield to Mr. Morin, who wants to offer some data for the record.

Mr. MORIN. Mr. Chairman, I referred this morning to the ages at which men are brought into active service in the countries with which we are allied or fighting against and a few other countries. I thought, for the benefit of the record and in order to be accurate, I should read into the record for your information the exact figures, and I have obtained these figures by reading the provisions of their constitutions in reference to national defense. While most of these countries have an early year for liability of service, for preliminary training of the young men, and so on, these are the figures at which they are brought into the active service according to their constitutions. England, of course, has the volunteer system, and they volunteer for the regular army between the ages of 18 and 25 in what we would call the regular army and the territorials from 17 to 25. France has compulsory service, and their liability begins at 20 years and continues until 48. Russia has universal and compulsory, and they are brought into active service at 20 and remain until 43. Italy has universal compulsory, and they are brought into the active service at 20. Belgium has volunteer service and conscription service. They do not give any definite age at which they are required to render service, and only mention a period under 18 and over 18.

The volunteer system is for men who wish to make the army a profession and conscription applies to about 49 per cent of those composing the army. Japan has universal and compulsory service, which begins at 20 years. Brazil has compulsory service, which begins at 21 years. Portugal has conscription, and their active service begins at 20 years. Germany has compulsory and universal, and active service begins at 20 years. Austria-Hungary has compulsory service, and active service begins at 21 years. Turkey has theoretical compulsory service, and active service begins at the twentieth year. Rumania has universal and compulsory service, and active service begins at the twenty-first year. Bulgaria has universal and compulsory service, and active service begins at the twentieth year. Serbia has universal and compulsory active service, and begins at the twenty-first year. Sweden has universal and volunteer service, and active service begins at the twenty-first year. Norway has universal and compulsory service, and active service begins at the twenty-third year. Denmark has universal and compulsory service, and active service begins at the twenty-first year. Greece has compulsory and universal service, and it begins at the twenty-first year. Switzerland has universal and compulsory service, which begins at the twentieth year. Chile has conscription, which begins at the twenty-first year. In the Argentine Republic it begins at the twentieth year.

I would also like to put in the record and read, for your information and for the information of the committee, a letter which I have received from Mr. A. C. Gordon, president of the Principals' Association of the City of Pittsburgh:

PITTSBURGH, PA., April 16, 1917.

HON. JOHN MORIN,
Washington, D. C.

DEAR MR. GORDON: As president of the Pittsburgh Principals' Club, I have been making a canvass of the principals of the several high schools of our city and of a number of the leading principals of the elementary schools and find the sentiment quite general in favor of standing by the President in his plans for raising an army, but we are of the opinion that 19 is too young to enlist our boys. Better have it 21 or 22. We would be willing to have them go at 19 were it necessary; but, as that is not the case, why not give them two or three years more to complete their education, develop their full strength, and fix their habits before exposing them to the allurements of the army camp or the possible hardships of the battle field?

We all feel like falling in line with the President's recommendations. We don't wish to create dissensions, but we do wish to make an earnest appeal to have the age limit for conscription raised if it is not incompatible with the public good.

Yours, very truly,

A. C. GORDON.

MR. WISE. Mr. Morin, there was one suggestion made here, and you did not put in the record anything about it. I understand there is evidence here that Germany, under her law now, can not send her soldiers, conscripted or otherwise, outside of the German Empire unless they volunteer?

MR. MORIN. That was the evidence given here Saturday, that in Germany they can not send them outside the boundaries of Germany unless they volunteer.

Secretary BAKER. In Germany?

MR. CALDWELL. That is what I was telling you this morning, that the great majority of the German Army is a volunteer army.

Secretary BAKER. That is an inconceivable situation.

MR. CALDWELL. It is so.

Secretary BAKER. It could not be.

MR. FIELDS. Mr. Secretary, I have just one question to ask you, because I think the ground has been covered thoroughly several times. If I understood you this morning, you said that the raising of the age limit to 21 would not materially disturb your plans?

Secretary BAKER. I said I thought it would be unfortunate, but it would not interfere with the principle that is involved.

MR. CALDWELL. Mr. Secretary, I notice in reading the hearings that in Australia the question of conscription and draft was submitted to the people to vote upon. Now you outlined in part of your talk—this morning, I think it was—a plan of having every man between the prescribed ages register. Would it not be perfectly feasible at the time they register to let each one cast his vote as to whether or not we should have conscription? It would not cause any delay, would it?

Secretary BAKER. It would be physically possible, of course.

MR. CALDWELL. What would be the objection to letting the people of the United States vote at that time? It would not cause any delay, would it?

Secretary BAKER. I think it would.

Mr. CALDWELL. How many days would it delay matters?

Secretary BAKER. It would cause delay until you had the election.

Mr. CALDWELL. If the election was at the time of the registration, and if you let each man as he registered vote secretly——

Secretary BAKER. I think you would have to wait until you could have the election, and you could not form any forces and could not tell what system you were going to use.

Mr. GORDON. You would not have any authority to register them if it was subject to a referendum.

Mr. SHALLENBERGER. Mr. Secretary, I have an amendment which it has been suggested to me should be submitted. I do not know whether it will be of any value, because I think you have expressed yourself on it, but in order to get your opinion about it I would like to have you state your opinion again. This is taken from a former act:

That no bounty shall be paid to induce any person to enlist in the military service of the United States; and no person liable to military service shall hereafter be permitted or allowed to furnish a substitute for such service; nor shall any substitute be received, enlisted, or enrolled in the military service of the United States.

I think you stated this bill does not contemplate anything of that sort.

Secretary BAKER. It does not contemplate any substitutes or bounties.

Mr. SHALLENBERGER. And you do not think it would be necessary to put in a provision of this sort?

Secretary BAKER. No, sir; I think not.

Mr. QUIN. Mr. Secretary, do you not think it would be wise for us to put an absolute inhibition against a man hiring a substitute?

Secretary BAKER. I do not think it would be possible to do that under this law.

Mr. SHALLENBERGER. That was the idea of the man offering this amendment; that it would be a sort of notice to the public that that was not to be allowed.

Secretary BAKER. There is no authority in here to accept a substitute. I think it would not help, because I think the law expressly excludes that.

The CHAIRMAN. Mr. Secretary, I understand you have already stated that it is your purpose to organize officers' training schools at once while you are getting this registration in shape?

Secretary BAKER. They begin on the 8th day of May.

Mr. QUIN. Mr. Secretary, there are some land-grant colleges and two or three military schools in my district; would those young men who have had two or three years of military education there be qualified to go into the corps and stand the examination?

Secretary BAKER. They would be very welcome.

Mr. HARRISON. Are you going to do anything about the Plattsburg Camp?

Secretary BAKER. There will be no general training camps this summer. They will give way to these intensive training camps for officers.

Mr. OLNEY. I understand Plattsburg is going to be an officers' training camp.

Secretary BAKER. I think that is the plan.

(The following memorandum was submitted.)

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, April 20, 1917.

Memorandum for the Chief of Staff.

Subject: Total enrollment required in order to maintain a given force at full strength in the field.

1. I am transmitting herewith a graphical diagram prepared in the War College Division, which illustrates the relation between the strength of a given military force in the field and the total numbers of men required to maintain that force at full strength under war conditions.

2. In preparing this diagram, the following assumptions have been made:

(a) That we begin the training of 500,000 men by June 1, 1917, with the expectation if necessary of getting them in the field by April 1, 1918, fully organized, trained, and equipped.

(b) That we begin the training of another 500,000 men by October 1, 1917, with the view of getting them in the field if necessary by August 1, 1918.

(c) That if necessary we propose to start the campaign of 1919 with an organized force of 2,000,000 which requires that we begin the organization of another 1,000,000 men in the spring of 1918.

(d) That the gross casualties of troops actually engaged will be about 10 per cent per month, but that considering the return of soldiers to the front after convalescence the net wastage at the front will ultimately be reduced to 5 per cent per month.

(e) That troops to replace casualties must be under training for at least six months before being employed for that purpose.

3. Based upon the above assumptions, the diagram gives the following information:

The total organized strength at any time is shown by the ordinates of _____.

The total forces engaged in the field at any time is shown by the ordinates of _____.

The total number of men required to replace losses up to any date is shown by the ordinates of _____.

The total enrollment of men called in training to replace losses up to any date is represented by the ordinates of _____.

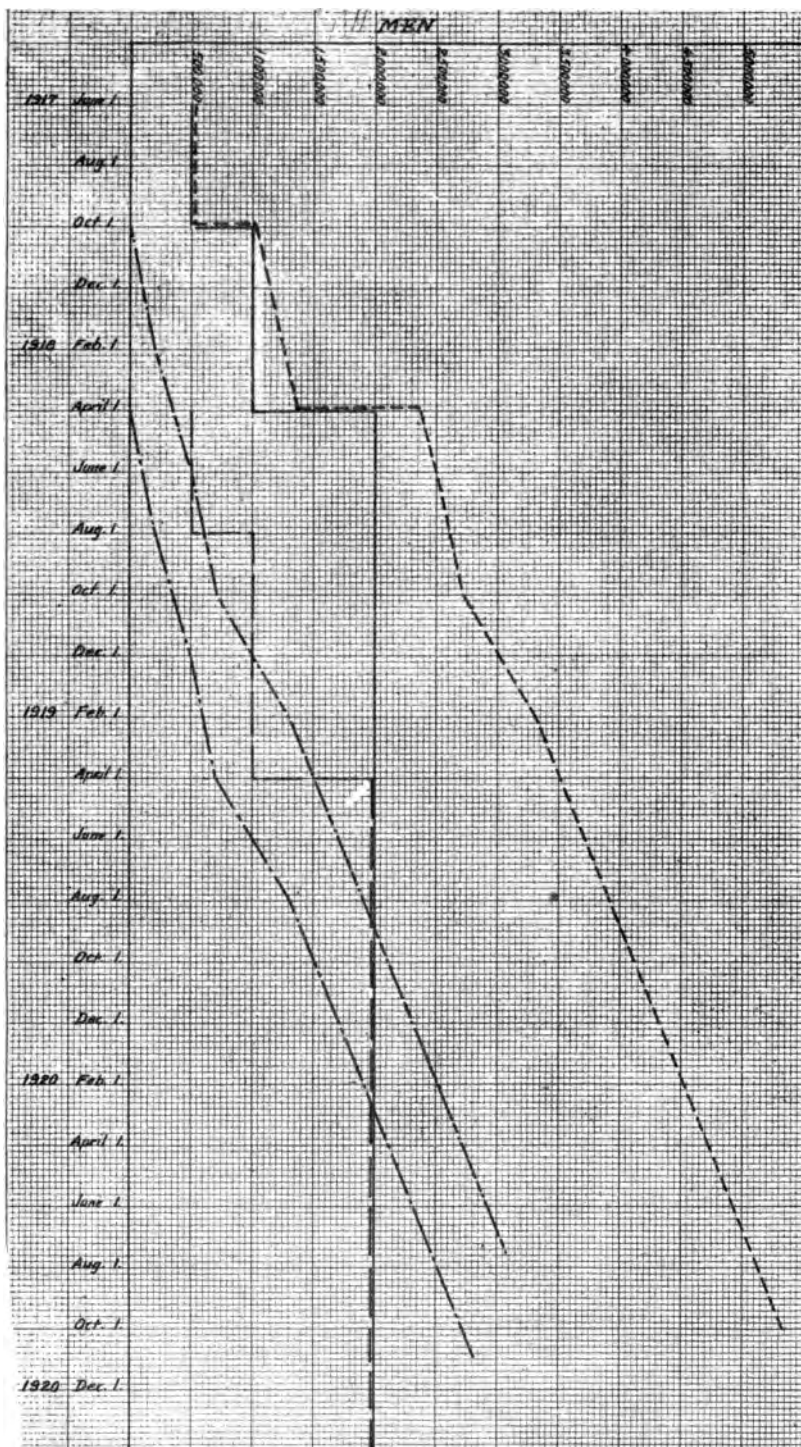
The gross enrollment for original organizations and replacement up to any date is represented by the ordinates of _____.

4. The diagram, though based on more or less arbitrary assumptions, illustrates the fact that the total numbers required are greatly in excess of the numbers actually in the field, and that the maintenance of the field force at a definite strength requires systematic arrangements for replacing losses that must be initiated in advance of requirements.

5. The War College Division recommends that a copy of this memorandum and diagram be furnished to each bureau chief. Additional copies for this purpose will be forwarded if desired.

JOSEPH E. KUHN,
Brigadier General, General Staff,
Chief of War College Division,
Assistant to the Chief of Staff.

(The committee thereupon adjourned.)



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